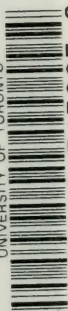
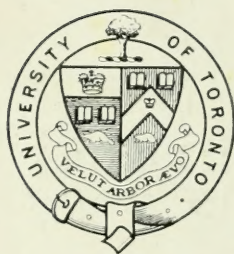


UNIVERSITY OF TORONTO



3 1761 01515907 2

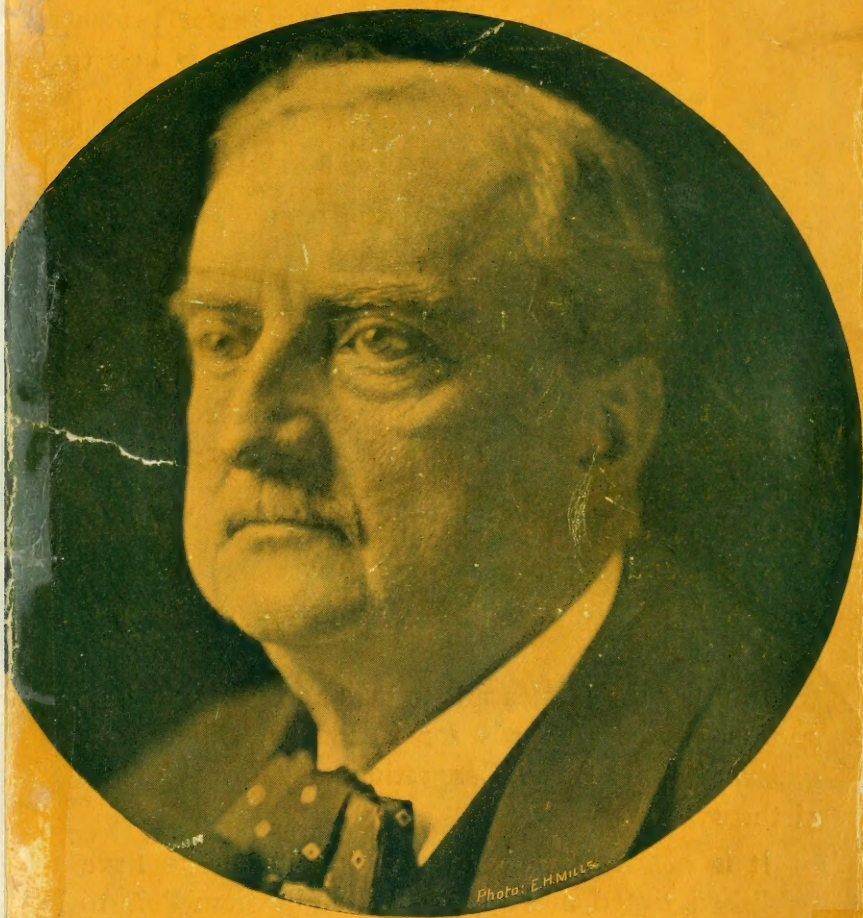


Presented to  
The Library  
of the  
University of Toronto  
by

THE ESTATE OF THE LATE LADY KEMP



# THE HOME·RULE·BILL



BY  
JOHN·REDMOND, M.P.

# HEALTH INSURANCE



A good **POLICY** is to keep a bottle of **ENO'S FRUIT SALT** always in the house.

It is a reliable Health Insurance. Nothing else can better protect you from the ills the flesh is heir to.

## ENO'S FRUIT SALT

for over 35 years has been helping millions to regain and retain health, energy, and comfort.

Don't suffer from injudicious eating or congestion from lack of exercise. If you take "Eno's" every morning you will soon find a great improvement in your general health. Your food tastes good and is beneficial, your sleep is unbroken and refreshing, the colour comes back to your cheeks, eruptions disappear and you find life a delight, work a pleasure.

FRUIT SALT is pleasant to take and gentle in its action, and is the best remedy for Headache, Biliousness, Indigestion, Impure Blood, Congestion, and Feverish Conditions of the system.

It is not too much to say that its merits have been published, tested, and approved literally from Pole to Pole, and that its cosmopolitan popularity to-day presents one of the most signal illustrations of commercial enterprise to be found in our trading records.

**SOLD BY ALL CHEMISTS AND STORES.**



# THE HOME RULE BILL

*Edward*  
BY  
JOHN REDMOND, M.P.



CASELL AND COMPANY, LIMITED  
LONDON, NEW YORK, TORONTO AND MELBOURNE  
1912

JN  
1413  
1912  
R4

**LIBRARY**

**757713**

UNIVERSITY OF TORONTO



## Preface

THIS volume is an interesting evidence of the desire of the Irish people and the Irish Party to "smuggle" Home Rule through Parliament "without discussion" and "behind the backs of the English people." This charge of attempted "smuggling" is the most ridiculous of all the ridiculous charges that have been lavishly made by the Unionist Party against the advocates of Home Rule.

For the last thirty years it is true to say that no great public question has been so widely and so continuously discussed on political platforms in all parts of the United Kingdom, and indeed in all parts of the British Empire, as Home Rule.

It is true that in 1886, when Mr. Gladstone appealed to the people at the polls against the rejection of his Bill of that year, he and Home Rule were defeated.

It is not true to say that this happened when the Liberal Government were defeated in 1895. The General Election of that year was not held in any sense whatever on Home Rule. When the Home Rule Bill of 1893 was rejected by the House of Lords, Mr. Gladstone, as many of us shrewdly suspected at the time, and as all the world now knows from Lord Morley's "Life," desired once again to appeal to the electors. Had he done so, and been

## PREFACE

again defeated, it would have been true to say that Home Rule had been defeated for the second time by the electors of the United Kingdom. But Mr. Gladstone's Cabinet would not permit him to dissolve Parliament, and, oppressed by the weight of years, he naturally enough resigned the Premiership.

Even then he desired to do a good work for Ireland and Home Rule, and wished that his successor in the Premiership should be Lord Spencer. In this again he was over-ruled, and Lord Rosebery became the next Prime Minister. For two miserable years the Liberal Government dragged on an ignoble existence, "ploughing the sands," to use Mr. Asquith's pregnant phrase. The Newcastle Programme was proceeded with, and what was called the policy of "filling the cup" was adopted by the Liberal Party, with the result that Home Rule almost entirely disappeared in the whirlpool created by a multitude of questions which excited the most vehement opposition throughout the country. A dry-rot set in in the Liberal Party, and when the General Election finally came in 1895 it was not in any sense fought on the issue of Home Rule; and therefore the defeat of the Government in 1895 cannot with any measure of truth be regarded as a defeat of Home Rule.

Since then Home Rule has been kept to the front of political questions in the House of Commons and in the country. I affirm that the principle of Home Rule has been adopted by overwhelming majorities by the electo



## PREFACE

of the United Kingdom three times in succession since 1895.

The Parliament of 1906 contained an overwhelming majority in favour of Home Rule, as was proved by the passage of the Home Rule Resolution moved by me in the year 1908 by a majority of 156 (Hansard, March 30th, 1908), and as was also proved by the Home Rule Declarations of Sir Henry Campbell-Bannerman, and of practically every prominent member of the Government of that day.

It is true that owing to a strange and unfortunate self-denying ordinance, announced before the General Election, the Government determined not to propose a Home Rule Bill in that Parliament; but, none the less, the electors gave the Liberals a majority of 143 over all parties (Liberals 328, Tories 158, Labour 43, Irish Nationalists 84), with a full knowledge that Home Rule had a foremost place in the programme of the Liberal Party.

In the next two elections, in January, 1910, and in December, 1910, Home Rule was specifically placed before the electors by the Prime Minister and his colleagues, coupled with the declaration that, amongst the first uses to which the Parliament Bill would be put, would be the passage of a Home Rule Bill through the House of Commons; and it is scarcely necessary to remind anyone at on every Unionist platform in both these elections Home Rule was put in the very forefront by Lord Lansdowne, Mr. Balfour, Mr. Chamberlain, and all the lesser

## PREFACE

lights of the Unionist Party. In fact, it might truly be said that in the December election of 1910 the battle was fought by the Unionist Party almost entirely on the issue of Home Rule, "American Dollars," and so forth.

Now the actual terms of the third Home Rule Bill are before the country, and it has been found that, except in some particulars, they do not materially differ from the proposals of Mr. Gladstone in 1893. Twelve days have already been spent on their discussion in the House of Commons. We are about to begin the Committee Stage, which no doubt will last many weeks. All this time Home Rule will be discussed on thousands of platforms throughout the country; and finally, if the House of Lords is unwise enough to reject the Bill when it is sent to them from the House of Commons by an overwhelming majority, as will be the case, two more years of discussion may intervene before the measure becomes law, as it most certainly will.

This does not look like "smuggling" a Bill through Parliament "without discussion" and "behind the backs of the British electors." Anyhow, my colleagues and I, so far from desiring to "stifle discussion," or to "smuggle" the Bill into law, are most anxious that the fullest and freest discussion should take place in every hole and corner of the United Kingdom. We have nothing to hide in connection with the Bill. We court the fullest inquiry and discussion, and it is to promote this end that this book has been published, which it is hoped may



## PREFACE

make it easy for every man in the country, without elaborate study or trouble, to understand every point connected with the scheme for conferring self-government on Ireland.

*J. S. Redmond*

*June, 1912*





# CONTENTS

	PAGE
EXPLANATION OF THE HOME RULE BILL . . . .	I
SPEECH ON THE FIRST READING, APRIL 11, 1912 . . .	42
SPEECH ON THE SECOND READING, MAY 9, 1912 . . .	62
SPEECH AT THE NATIONAL CONVENTION, MANSION HOUSE, DUBLIN, APRIL 23, 1912 . . . . .	78
MR. REDMOND'S SPEECH AT THE DINNER GIVEN TO HIM BY THE EIGHTY CLUB, MARCH 1, 1912 . . . .	90
TEXT OF THE HOME RULE BILL . . . . .	101
PARLIAMENTARY WHITE PAPER: OUTLINE OF FINANCIAL PROVISIONS . . . . .	155
APPENDIX: THE HOME RULE BILLS OF 1886 AND 1893 COMPARED AND EXPLAINED . . . . .	169





# THE HOME RULE BILL

## EXPLANATION OF THE BILL

THE full text of the Home Rule Bill will be found at the end of this book, so that the running exposition here given may be checked by reference to the actual clauses.

**Arrangement of the Bill.**—First, as to the arrangement. The Bill begins with the Legislative Authority to be set up and its powers as a Legislature. It proceeds to the Executive Authority and power of administration. It goes on to outline the composition and relation of the two Houses. Then it deals with the representation of Ireland in the Imperial House of Commons.

Clauses 14-26 deal with finance.

Clauses 27-30 provide as to the judicial power and the right of appeal.

Clause 31 explains the new position of the office of Lord Lieutenant.

Clauses 32-7 provide for the interests of existing judges, civil servants, and police.

Clauses 38-41 arrange for the taking over and partition of various powers and duties; and

Clauses 42-6 provide machinery for bringing the new system into operation.

Finally come the definitions and the schedules.

# THE HOME RULE BILL

## LEGISLATIVE AUTHORITY

**Supremacy of the Imperial Legislature.**—Clause 1 lays down the cardinal principle on which the Bill proceeds; it defines broadly what the Bill gives and what it withholds. The text should be studied in full.

“(1) On and after the appointed day there shall be in Ireland an Irish Parliament, consisting of His Majesty the King and two Houses—namely, the Irish Senate and the Irish House of Commons.

“(2) Notwithstanding the establishment of the Irish Parliament or anything contained in this Act, the supreme power and authority of the Parliament of the United Kingdom shall remain unaffected and undiminished over all persons, matters, and things within His Majesty's dominions.”

This clause is not a repeal, but a readjustment, of the Act of Union. It makes restitution of dignity. Ireland had a Parliament, and she is to have a Parliament again. The name, House of Commons, is restored to the Elective Chamber. But since there will be in the new Legislature no hereditary House, a new name is given to the Second Chamber—the Senate.

**Difference between the New Irish Parliament and the Old.**—The second sub-section makes it clear wherein the new Parliament differs from the Parliament known by the name of Grattan. That Parliament was co-ordinate with the Parliament of Great Britain. This one will be subordinate to the Imperial Legislature.



## THE HOME RULE BILL

The supremacy of the Imperial Parliament will be greater than that of the Dominion Parliaments over the State Legislatures in Australia and Canada. In those cases certain limits are fixed to the power of the central body. But, in this case, Mr. Asquith stated in his speech introducing the Bill :

"There is no question here, as there was in the case of the Dominions, to which I have referred, of distribution and allocation, as between the central and the local bodies of the supreme legislative authority. We are here in the Imperial Parliament, and the Imperial Parliament can neither surrender nor share its supreme authority with any other body or any other part of His Majesty's Dominions. That is the cardinal principle on which this Bill is founded."

**Limitation of Powers of the New Parliament.**—Thus here is here established, and declared on the face of the Bill, what Mr. Asquith called "the overriding force of Imperial legislation, which can at any time nullify, amend, or alter any Act of the Irish Parliament."

In "Grattan's" Parliament, from 1782 onwards, the British Parliament had no such power over Acts of the Irish Legislature. It has this power over acts of the Irish Parliament exactly as it has over all Acts of Colonial Legislatures. This is the supreme constitutional guarantee for all British subjects. It is also the general limitation of the powers of the Irish Parliament.

But, further, Clause 5 defines and limits more precisely the legislative powers of the Irish Parliament.

There is, first, a territorial limitation. The autonomy given is to be purely local over Irish affairs :

## THE HOME RULE BILL

"The Irish Parliament shall have power to make laws for the peace, order, and good government of Ireland." But: "It shall not have power to make laws except in respect of matters exclusively relating to Ireland, or some part thereof."

**Specific Limitations.**—Further, there are certain specific limitations. Certain matters are excluded which, in Mr. Asquith's words: "although they may fall within the territorial limit, are matters which everybody will admit it is desirable should not be dealt with by the new body."

These are matters affecting the Crown, the making of peace and war, the army and navy, treaties and foreign or colonial relations, dignities, treason, naturalisation, aliens, lighthouses, coinage, legal tender, weights and measures, trade marks, copyright and patent rights, and also:

"Trade with any place out of Ireland (except so far as trade may be affected by the exercise of the powers of taxation given to the Irish Parliament, or by the regulation of importation for the sole purpose of preventing contagious disease); quarantine; or navigation, including merchant shipping (except as respects inland waters and local health or harbour regulations)."

This heading last quoted has, as will be seen, a certain elasticity. If, for instance, Great Britain decided to allow the importation of Canadian cattle, it would be open to Ireland, in the interests of her own live stock, to prohibit such importation to Ireland.

Further, it will be seen later on that the control over Ireland's trade regulations is only part of a provisional arrangement as to finance.

But, generally, all these exclusions are designed to be permanent, as being matters of Imperial, no less than local, concern.



## THE HOME RULE BILL

**Temporary Limitations—The Reserved Services.**—In Sub-section 11 there is a list of *provisional* exclusions, some of which are expressly temporary in their character, and all of which may be temporary.

These exclusions refer to what are called in this Act "Reserved Services"—that is, services which, although they are local in their character, are in this Bill reserved for the Imperial Parliament and the Imperial Executive.

These Reserved Services are :

"(a) The general subject matter of the Acts relating to Land Purchase in Ireland, the Old Age Pensions Acts, 1908 and 1911, the National Insurance Act, 1911, and the Labour Exchanges Act, 1909.

"(b) The collection of taxes.

"(c) The Royal Irish Constabulary and the management and control of ~~the~~ force.

"(d) Post Office Savings Banks, Trustee Savings Banks, and Friendly Societies; and

"(e) Public loans made in Ireland before the passing of this Act."

Explanation as to the arrangements in regard to these Reserved Services are given on pages 9 and 10; but we are now dealing with the *limitation* of legislative power, and the reservation of these services is one of the restrictions, though a temporary one.

**Religious Equality.**—A further important limitation is imposed by Clause 3 :

"In the exercise of their power to make laws under this Act, the Irish Parliament shall not make a law so as either directly or indirectly to establish or endow any religion, or prohibit the free exercise thereof, or give a preference, privilege, or advantage, on account of religious belief or religious or ecclesiastical status, or make any religious belief or religious ceremony a condition of the validity of any marriage."

## THE HOME RULE BILL

The latter part of this clause is new. It was not in the Bills of 1896 or 1893; and its purpose has been defined by Mr. Asquith:

"These words, as the House will see, are chosen specially to exclude the possibility—I have never thought it myself even a possibility—of legislation on the part of this new Irish Parliament to make any attempt to give effect to either of those recent Papal pronouncements which go by the name of the *Ne Temere* and *Motu Proprio* decrees; in other words, to establish any privileged status of clerical persons before the tribunals of this country, or in any way to interfere with the validity of mixed marriages between persons of different religious beliefs."

This limitation is permanent in its character.

**Effect of Contravention of Restrictions.**—Further, it is expressly provided at the end of Clause 2, and again at the end of Clause 3, that:

"Any law made in contravention of the restrictions imposed by this section shall, so far as it contravenes these restrictions, be void."

**Summary of Limitations.**—These then are the limitations on the powers of the Irish Parliament:

First: That which is imposed by the supreme right of the Imperial Parliament to repeal Acts of the subordinate Parliament or to legislate concurrently.

Second: The territorial limitation to purely Irish affairs.

Third: The exclusion of specific matters which are of Imperial, no less than local, concern.

Fourth: The provisional exclusion of certain Reserved Services; and

Fifth: The permanent prohibition against favouring or penalising any religion.



# THE HOME RULE BILL

## EXECUTIVE AUTHORITY

Clauses 4 and 5 deal with the Executive Authority.

First of all, its scope is limited to purely Irish affairs. The Ministry can only deal, by way of administration, with those things about which the Parliament can make laws.

Mr. Asquith said :

“As far as the Executive in Ireland is concerned, the area of the authority will be co-extensive with the legislative power of the Parliament—neither greater nor less. In other words, whatever matters are for the time being within the legislative competence of the Irish Parliament will, for administrative purposes, be within the ambit of the Irish Executive, and whatever matters are for the time being outside the legislative province of the Irish Parliament will remain under the control, and subject to the administration, of the Imperial Executive.”

This means in effect that the Irish Government cannot issue any order regarding the army or the navy in Ireland; cannot give special privileges to any foreign power; cannot use its power to favour any religious denomination; and, further, cannot at present interfere with the control of the police or the other reserved services.

**Supremacy of the Imperial Executive.**—The Bill provides, under Clause 4, Section 1, that :

“The executive power in Ireland shall continue vested in His Majesty the King, and nothing in this Act shall affect the exercise of that power except as respects Irish services as defined for the purposes of this Act.”

# THE HOME RULE BILL

This asserts the supremacy of the Imperial Executive, corresponding to the supremacy of the Imperial Legislature.

## THE LORD LIEUTENANT

**The Office of Lord Lieutenant.**—Section 2 indicates that the head of the Executive shall be, as now, the Lord Lieutenant; but in Clause 31 it is laid down:

First, that there shall be no religious disability for the office.

Secondly, that the Lord Lieutenant shall hold his office for a term of years, which means that he will cease to be a member of the British party Government. He will, in short, be in the position of the Governor of one of the transmarine Dominions.

## THE IRISH MINISTRY

The rest of Clause 4 lays down that the Lord Lieutenant shall be advised in regard to Irish matters by the Irish Executive, who will be the heads of Irish Departments. They must have a seat either in the Senate or in the Irish House of Commons, and must be members of the Irish Privy Council. Exactly as the British Government advises and represents the King, the Irish Ministers will advise and represent the Lord Lieutenant in the exercise of his executive power in relation to "Irish Services." According to the Bill, Irish Services are defined as:

"All public services in connection with the administration of the civil government of Ireland, except the administration of matters with respect to which the Irish Parliament have no power to make laws, including in the exception all public services in connection with the administration of the reserved matters."

# THE HOME RULE BILL

## THE RESERVED SERVICES

Clause 5 deals with these Reserved Matters. The reservation is of varying character.

First, the **Royal Irish Constabulary**, at the end of six years, will automatically become an Irish service and pass under the control of the Irish Executive.

Here a definite period is fixed for the transfer. It will be seen later that at the same period the Imperial Government will transfer to the Irish Exchequer an annual sum equivalent to the annual cost of this body.

The Dublin Metropolitan Police, it may be observed, are from the first an Irish service.

Secondly, there is a group of services which *may* be taken over at a year's notice by the Irish Executive, on a resolution passed by both Houses of the Irish Parliament.

These are :

(a) **Old Age Pensions.**

(b) **Part 1 of the National Insurance** scheme; that is, the part dealing with invalidity.

(c) The administration of **Part 2 of the Insurance Act**—that is, unemployment—and of the **Labour Exchanges Act.**

In each case there will be transferred with the services the money to pay for them.

This means that if Ireland is not satisfied with the administration of Old Age Pensions—if she desires to change either the rate of the pensions or the conditions of qualifying for pensions, or thinks she can economise in the administration of the Act—she can take over the scheme, and receive the estimated cost of the service on its existing



## THE HOME RULE BILL

basis. If economies can be effected, they will go to the credit of the Irish exchequer; if it is wished to extend the cost, Irish money must be found to meet the addition.

### (d) **Post Office Savings Banks.**

Here a special exception has been made. The Post Office goes at once to the Irish Government—a plan recommended by the advisory committee on finance, who were struck by the constantly increasing cost of postal services in Ireland, without any corresponding increase in revenue. The cause of this cost was assigned to the attempt to administer two such different countries on a uniform basis.

But it was feared that an organised attack might be made on the credit of the new Government by engineering a run on the Savings Banks, and the Department was accordingly made a Reserved Service, which can be taken over on demand, but not until after ten years have elapsed.

# THE HOME RULE BILL

## THE IRISH PARLIAMENT

Clause 6 enacts that the Irish Parliament shall meet at least once every year; and shall be summoned, prorogued, and dissolved by the Lord Lieutenant.

**The Power of Veto.**—Clause 7 deals with the power of veto, and must be quoted textually, since it is inserted as a safeguard :

“The Lord Lieutenant shall give or withhold the assent of His Majesty to Bills passed by the two Houses of the Irish Parliament, subject to the following limitations, namely :

“(1) He shall comply with any instructions given by His Majesty in respect of any such Bill; and

“(2) He shall, if so directed by His Majesty, postpone giving the assent of His Majesty to any such Bill presented to him for assent for such period as His Majesty may direct.”

This means that the Imperial Executive, as representing the King, may direct the Lord Lieutenant to refuse his assent to a given Bill; or, secondly, may direct him to postpone giving that assent.

This is a power which could be used if the Imperial Government thought that any interest was unjustly dealt with by the Irish Parliament. It would, of course, only be used if the Irish Government were attempting to act unconstitutionally or in bad faith.

## THE IRISH SENATE

Clause 8 describes the composition of the Senate. This is to consist of 40 nominated Senators.

## THE HOME RULE BILL

The first Senate will be nominated by the Imperial Government. Later the nominations will be made by the Lord Lieutenant on the advice of the Irish Ministers. These nominations will occur not only casually, but at regular recurring intervals.

Senators will hold office for eight years, irrespective of the dissolution of Parliament, but the composition of the Chamber will be liable to change, because in every second year one-fourth of the Senators are to retire. The Lord Lieutenant will decide by lot which shall retire first, and after six years the rotation will be automatic.

This principle has been adopted in preference to election on a different franchise or by different areas from those which are adopted in regard to the Irish House of Commons.

One purpose is to avoid conflict between two elective assemblies. But a more important object is to secure inclusion from the first of valuable elements in the public life of Ireland which might be excluded by election on strictly party lines. References to this matter will be found on pages 66 and 85.

Assuming that in Ireland, as in all other countries, the control of power passes from one party to another, men of various party colours will be nominated on the advice of the succeeding Ministers; and a Conservative Minister coming into power, if he found a predominantly Liberal Senate, could within two years, or probably less, put in one-fourth of the assembly favourable to his views, and, two years later, could secure at least half of it.

This frequent opportunity for alteration of the Senate's composition obviates most of the inconveniences in the



## THE HOME RULE BILL

system of nomination employed in Canada, where nomination is for life.

### THE IRISH HOUSE OF COMMONS

By the terms of Clause 9 the Irish House of Commons will consist of 164 members, elected on the existing franchise for constituencies named in the Schedule. The duration of the Parliament will be only for five years.

**The Electorate.**—The constituencies in the Schedule are the existing constituencies, except for the three small boroughs of Galway, Kilkenny, and Newry, which are suppressed, leaving 100 existing seats. New members, to the number of 64, are added in proportion to the population of the respective constituencies. East Belfast will have as many as five members, while many remain only single-member divisions.

After three years the Irish Parliament may alter—

“The qualification of the electors, the mode of election, the constituencies, and the distribution of the members of the House among the constituencies, provided that in any new distribution the number of members of the House shall not be altered, and due regard shall be had to the population of the constituencies other than University constituencies.”

Observation as to the probable effect on the distribution of parties will be found on page 39 in a discussion of the Schedules. Here it is sufficient to say that, taking the present allocation of parties, the Unionists would secure 39 members out of the 164, as against 19 out of 103 as at present, and that urban members would be 34 out of 164, as against 16 out of 103.

**The Power of the Purse.**—Clause 10 provides that Money Bills shall originate in and be passed by the Irish

## THE HOME RULE BILL

House of Commons, and that the Senate shall have no voice either to reject or amend them.

### **When the Senate and House of Commons disagree.—**

Clause 11 deals with the case of disagreement between the two Houses, and provides against a deadlock.

If the Irish House of Commons pass a Bill which the Senate rejects, or alters by amendments to which the Irish House of Commons will not agree, and if in the following session the House of Commons pass the Bill, either as they originally shaped it, or with amendments agreed to by the Senate, and if then the Senate, for a second time, refuses to pass it in a form agreeable to the House of Commons, then the Lord Lieutenant may convene a joint sitting of the Houses.

At this joint sitting senators and members of the House of Commons shall deliberate and vote together, and the Bill, in its form as carried by the joint sitting, shall be taken to have passed both Houses.

It is important to observe that in such a joint vote the senatorial element would have almost one-fourth of the voting strength, and, if it were at all united, could turn any division, unless the majority in the lower House were equivalent to a majority, say, of 150 at Westminster.

**Privileges of Members.**—Clause 12 indicates principally :

(a) That any peer may be a member of either Irish House; and

(b) That a Minister of the Irish Government may sit and speak in either House, but may only vote in the House of which he is a member.

# THE HOME RULE BILL

## IRISH REPRESENTATION AT WESTMINSTER

Clause 13 provides that there shall be 42 members sent from Ireland to the Imperial Parliament, elected on the existing franchise for constituencies which are named in the Schedule.

The members will be ordinary members of the British Parliament for all purposes, and membership of the Irish Parliament will be no disqualification.

The Prime Minister's justification of this shall be given :

"It may be asked why do we retain as many as forty-two, or, indeed, any Irish members at all. Ireland, it may be said, will at first, at any rate, be making no contribution to Imperial expenditure, and why should she have a vote in its determination? That is an argument that may be used with equal truth and with much greater cogency at the present moment. Ireland is not now making any contribution to Imperial expenditure—not a halfpenny—of any sort or kind, yet we have with us 103 Irish members with the same right of voting as the rest of us. The justification for the retention of a reduced number of Irish members rests upon much broader grounds. In the first place, the Imperial House of Commons will still continue to tax the whole of the United Kingdom.

"Next, for some years at any rate, this House of Commons and the Imperial Executive will be responsible for the administration of all the reserved services in which Ireland is vitally interested. But, further, in our view, whatever other changes may be made, and however far the devolution of local affairs to local bodies may be



## THE HOME RULE BILL

carried, the House of Commons must continue to be the House of Commons of the United Kingdom, fairly representing all its constituent parts and inviting the co-operation of each of them in the supervision of their common interests, the transaction of their common business, and the discharge of their joint and corporate trust to the Empire as a whole. It is true that for a time, and until there are further applications of the principle of devolution, Irish Members will be here with an unfettered right to vote. For the reasons I have already given, a very substantial reduction in their number makes that a matter of much less practical importance than it was, and we think it may well be found to be the duty of the House of Commons—after this Bill has become the law of the land—the duty of the House of Commons, which is absolute master of its own procedure, to anticipate in some degree further developments of statutory devolution by so moulding its own Standing Orders as to secure the effective consideration and discussion of legislation affecting only one part of the United Kingdom, while those who, as representing that part, are alone directly interested.”

# THE HOME RULE BILL

## FINANCE

Clause 14, in its first section, establishes an Irish Exchequer and an Irish Consolidated Fund. The collection of all taxes in Ireland is a Reserved Service, and will be carried out by Imperial officials.

The Irish Parliament will have the power to impose new taxes and, with certain limitations which must be afterwards described, to alter or remit existing taxes. But the proceeds of all taxes raised in Ireland, whether imposed by the Imperial Parliament or the Irish Parliament, are to be paid, in the first instance, into the British Exchequer.

**“The Transferred Sum.”**—Out of the British Exchequer there will be paid annually to the Irish Exchequer what is known as the “Transferred Sum,” which will constitute the revenue of the Irish Ministry. This sum will be composed of three heads :

(a) An amount representing the cost of Irish Services at the time of the passing of the Act. In this figure will be included allowance for the present loss on the Post Office in Ireland. But the revenue of the Post Office, stamps, etc., will, of course, be received directly by the Irish Government, since the Post Office falls among Irish Services.

Irish Services mean those departments of Irish administration which will, from the first, fall to the Irish Parliament and Executive: that is, Education, Post Office, Local Government, Board of Works, administration of the Land Courts, etc. The amount of the

## THE HOME RULE BILL

Transferred Sum will be determined by a Board specially established, whose composition will be explained afterwards.

That, then, is the first head in the Transferred Sum—the net existing cost to the Exchequer of the United Kingdom of those services which are taken over by the Irish Parliament.

(b) Since this amount will only suffice barely to make ends meet, it is proposed to provide annually “a specified sum as surplus. The amount of this surplus will be £500,000 annually for a period of three years, then diminishing by £50,000 a year for six years till it reaches £200,000, at which sum it will remain.”

That is to say, in the Transferred Sum the existing cost of Irish Services will be supplemented by a grant averaging £400,000 for the first eight years, and after that of £200,000.

(c) If the Irish Parliament add any local tax of their own, the proceeds of that tax will be added to the Transferred Sum, as will also the proceeds of any addition made by the Irish Parliament to existing taxes.

Section 3 of the Clause provides that no expense shall fall upon the British Exchequer for anything in connection with the services allocated to the Irish Parliament. They must be fully defrayed out of Irish revenue.

Ireland will have no further power to borrow on British credit either for public works or for local loans. She must raise money for these purposes on the security of her own revenue.

**The Two Systems of Taxation.**—Clause 15 lays down the powers of the Irish Parliament with regard to



## THE HOME RULE BILL

taxation. The Irish Parliament may impose new taxes of its own; or it may increase, reduce, or discontinue any Imperial tax so far as it affects Ireland.

Thus there will be under the new system two classes of taxes in Ireland: Imperial taxes, which are imposed under the authority of the Parliament of the United Kingdom; and Irish taxes, which are either independent taxes or additions made by the Irish Parliament to Imperial taxes.

But there are certain restrictions on the power to levy Irish taxes.

**Irish Taxes.**—Sub-section 1 indicates that any independent tax must be really, and not nominally, different from the Imperial taxes; and the Joint Exchequer Board is to decide this question.

Sub-section 2 declares that Customs duties must be only charged on articles liable to Imperial Customs duties. That is to say, there is only a power to increase or lessen such duties. Ireland can impose no new Customs, and cannot therefore “protect” Irish manufactures.

Further, no Imperial Customs duty may be increased by more than ten per cent., except Customs on beer and spirits. The same limitation applies to Income Tax and Death Duties. This is explained under Clause 15 (1):

(c) Stamp duties on Share Certificates, Notes, and other commercial instruments specified in Schedule 2 may not be altered, but must remain uniform for the United Kingdom.

(d) It may not vary Customs and Excise duties in a manner to give protection to Irish products.

If, for instance, it raises the Customs duty on imported

## THE HOME RULE BILL

tobacco, it must not establish an Excise duty on Irish-grown tobacco which is less than the Customs duty, except to an extent that may compensate the Irish tobacco grower for the cost and inconvenience occasioned him by complying with Excise restrictions.

### IMPERIAL TAXATION AND THE TRANSFERRED SUM

It should be clearly understood that any variation in the Imperial taxes enacted by the Imperial Parliament will have no effect on the Transferred Sum. If they are raised, the extra yield will go towards reducing the deficit. If they are lowered, the Irish Exchequer will still obtain the same amount as before, though the taxpayer will be paying less.

**Adjustment of British and Irish Customs and Excise.**—Clause 16 regulates the relations between Great Britain and Ireland as regards Customs and Excise duties.

The principle is that the duty paid shall be credited to the country in which the article is consumed. The duty on a chest of tea may be paid in Great Britain, but if the tea is retailed in Ireland the Irish consumer really pays the tax.

There are two main cases to be considered.

First, where the duty is the same in both countries. Then any article—say a cask of wine, which has been imported into Great Britain and has paid duty there, may be imported into Ireland free of duty; but it must be declared at the Customs, so that a record may be kept and that the tax paid may be credited to the Irish revenue.

## THE HOME RULE BILL

Secondly, there is the case when the Customs duty differs because the Irish Government has exercised its power to alter the Imperial tax. In that case, say the duty on tea is 5d. a pound in England, but 4d. in Ireland, then tea coming into Ireland from Great Britain would pay duty at the ordinary rate of 4d., but the British exporter will be entitled to a draw-back of the 5d. which he has paid on entry to Great Britain. This is the theory. But in practice the duty of 4d. would have been paid directly in bond before the article was taken out of the Customs.

If an Irish duty is higher than the English duty, the converse happens.

Similar regulations are laid down in regard to Excise. In this way all possibility of a protective tariff is precluded.

**How the Transferred Sum will be Regulated.**—Clause 17 relates to the Transferred Sum and the principles determining its amount.

By Sub-section 1 it is to be paid to Ireland at such times and according to such regulations as the Joint Exchequer Board may direct.

Sub-section 2.—If the Irish Parliament reduce or discontinue any Imperial tax, the Joint Exchequer Board will estimate what sum the revenue loses by the reduction or discontinuance.

If, for example, the Irish Parliament take a penny off tea, the resulting loss in the yield of the tea tax from Ireland will be calculated in the following year, and the amount will be struck off the Transferred Sum; and either the outlay on Irish Services must be reduced proportionally, or the reduction must come out of surplus, or the money must be found by some other tax.



## THE HOME RULE BILL

Sub-section 3 explains the limitation of the Irish Parliament's power to increase Customs duties (other than beer and spirits) or Income Tax or Death Duties. The object of this limitation is to prevent the Irish Parliament from exhausting the possible yield of one of the sources of Imperial taxation. The increase must not be more than ten per cent. on the yield of the tax. If any addition made by the Irish Parliament should increase the yield by more than ten per cent., the excess over ten per cent. will go to the British and not the Irish Exchequer. If, for instance, an Irish Chancellor of the Exchequer thought to increase his resources by raising the scale of death duties on large properties, the sudden falling in of a large estate might raise the total yield by more than the ten per cent., and the balance would not come to Ireland. Of course, every Irish Chancellor will avoid putting on an Irish tax part of whose produce may be lost to his own exchequer.

But it is specified that if, for instance, Ireland added  $\frac{1}{2}$ d. to the 5d. duty on tea and then the Imperial duty was reduced to 3d., Ireland would not lose the full benefit of her extra halfpenny because its yield would, under these conditions, be more than ten per cent. of the total.

Sub-section 4.—If any Reserved Service is transferred to the Irish Government, the Transferred Sum will be increased by the cost of that Reserved Service. The Joint Exchequer Board will assess the cost and will take into account the probability of increase or reduction in the cost.

If, for instance, Old Age Pensions were transferred, on demand of the Irish Government, it might be held that with the growing prosperity of Ireland this would probably be a decreasing charge (because the great number of

## THE HOME RULE BILL

pensioners is due to their being a survival of the larger population in the days before the famine), and allowance would be made for that.

If, on the other hand, Insurance and Labour Exchanges were taken over, this might probably be a growing item, and allowance would have to be made for this.

A certain elasticity is given under the Bill as to the conditions of transfer. The sum allocated may vary for the first ten years after transfer, but after that it shall be a definite sum.

### **The Imperial Government as Irish Tax-gatherer.—**

Clause 18 makes the Transferred Sum liable for all arrears of annual payments of land purchase annuities. That is to say, the Imperial Government will continue to collect the Irish tenant-purchasers' annual payments. It will also collect all the taxes of Ireland, direct or indirect. If the tenant-purchasers fail to pay, the loss will be met by deduction from the tax-revenue which would otherwise be handed back to the Irish Government. The whole revenue of Ireland is thus held in pawn for the security of payments under the Land Purchase Acts.

### **The Development Commission and Road Board.—**

Clause 19.—(1) The powers of the Development Commission and the Road Board will continue to apply to Ireland, and they may work with or through any Irish Department.

(2) The tax on motor-spirit and duties on motor-cars will be treated as an Irish tax, provided the money is paid as part of the Road Improvement Grant.

## THE HOME RULE BILL

**The Irish Church Temporalities Fund**, now controlled by the Land Commission, passes by Clause 20 under the control of the Irish Government, but all existing charges on it must be met by the Irish Government, and, if not, deduction to meet them will be made from the Transferred Sum.

There will be an **Irish Consolidated Fund**, (Clause 21), and an Irish Controller and Auditor-General must be appointed to audit these accounts.

**The Constitution of the Joint Exchequer Board.**—Clause 22 is immensely important, as it deals with the constitution and powers of the Joint Exchequer Board.

This Board will consist of five members : two appointed by the British, two by the Irish Treasury, with a Chairman appointed by the Imperial Government.

**The Powers of the Joint Exchequer Board.**—The Board will determine as a question of fact, in the first instance, the existing cost of Irish Services, and, in the second place, it will determine what is the yield

- (a) Of Imperial taxes in Ireland;
- (b) Of independent Irish taxes; and

(c) If the Irish Government decide for their own purposes to make an addition to an Imperial tax, the Board will determine, after the tax has been collected, what amount in the yield is due to this increase in scale. If, for instance, 1d. were added to the duty on tobacco, the increase in the tax would to some extent lessen consumption, and allowance would have to be made for this

## THE HOME RULE BILL

factor in computing the portion of the total yield which should be set down as an Irish tax and be added to the Transferred Sum.

If, on the other hand, the Irish Government decided to take 1d. off tobacco, similar allowance would have to be made for the tendency to increase consumption, and so to increase the total yield of the tax, when the Board were estimating the amount to be struck off the Transferred Sum as an equivalent for the remission.

The Board may also determine any matter which is referred to them jointly by the British and the Irish Treasury. There is to be no appeal from any of their decisions.

### **Irish Power to Raise Loans Granted by the Bill.—**

Clause 23.—The Irish Government will have power to borrow. It may borrow upon the security of the Transferred Sum. This Clause gives the Joint Exchequer Board power to issue and to manage any such loan, if so desired by the Irish Parliament. This would enable Ireland to borrow on better terms, because representatives of the British Treasury would be responsible for making the payments under the loan out of a fund collected by the Imperial tax-collectors.

Sub-section 2 provides that in such case the Treasury shall pay to the Joint Exchequer Board, instead of to the Irish Treasury, the requisite part of the Transferred Sum.

Sub-section 4 makes the important provision that any stock or securities issued by the Irish Government shall be trustee stock.



## THE HOME RULE BILL

**Allowance for Irish Taxes Collected in Great Britain.**—Clause 24 lays down the principle that, in determining the proceeds in Ireland of any Imperial tax or of any Irish tax, the Joint Board shall make allowance for taxes collected in Great Britain, but properly attributable to Ireland, as, for instance, any income tax on British securities which are held by persons resident in Ireland.

**Exemptions from Imperial Taxes.**—Clause 25 deals with the case where exemptions from an Imperial tax should be either withdrawn or extended, or granted by the Irish Government.

If, for instance, the Irish Government removed the exemptions on income tax, the result added to revenue would be treated as the result of an Irish tax, and the Transferred Sum would be increased in consequence.

Similarly, if the exemptions were extended—if, for instance, no income tax were charged on incomes under £200 a year—the resulting loss to revenue would be assessed by the Joint Exchequer Board and deducted from the Transferred Sum.

### FUTURE FINANCIAL RELATIONS

Lastly, Clause 26 forecasts a future change in the whole financial relations between the two countries.

If the Joint Exchequer Board find that for three years in succession Irish revenue as determined by them has fully met Irish expenditure, both upon those services which are controlled by the Irish Government and those services which are reserved to the Imperial Government, the Board are directed to report this fact to the Treasury and to the Lord Lieutenant, and the reports are to be laid before the

## THE HOME RULE BILL

Imperial Parliament and the Irish Parliament. Steps will then be taken to revise the financial arrangements with two objects :

First, it would then be necessary to consider whether Ireland could not make a contribution to the general Imperial expenditure; and,

Secondly, whether Ireland should not be given increased powers over her own financial affairs.

**The Re-adjustment.**—This matter is to be considered by the Imperial House of Commons. But since Ireland will only have 42 members, which is much less than the representation to which she is entitled in point of numbers, there would be summoned to the British House of Commons for this deliberation and decision as many members of the Irish House of Commons as would bring Ireland's representation up to her proportional share.

The text of these two sub-sections shall now be given :

“The presentation of such a report shall be taken to be a ground for the revision by the Parliament of the United Kingdom of the financial provisions of this Act, with a view to securing a proper contribution from Irish revenues towards the common expenditure of the United Kingdom and extending the powers of the Irish Parliament and the Irish Government with respect to the imposition and collection of taxes.

“For the purpose of revising the financial provisions of this Act in pursuance of this section, there shall be summoned to the Commons House of Parliament of the United Kingdom such number of members of the Irish House of Commons as will make the representation of Ireland in the Commons House of Parliament of the United Kingdom equivalent to the representation of Great Britain on the basis of population; and the members of the Irish

## THE HOME RULE BILL

House of Commons so summoned shall be deemed to be members of the Commons House of Parliament of the United Kingdom for the purpose of any such revision.

“His Majesty may by Order in Council make such provision for so summoning the members of the Irish House of Commons as His Majesty may think necessary or proper, and any provisions contained in any such Order in Council shall have the same effect as if they had been enacted in this Act.”

# THE HOME RULE BILL

## REVIEW OF THE FINANCIAL POSITION

To sum up, then, the financial arrangements. Their basis is at present a system of "contract finance." The Irish Ministry will be given the duty of administering certain services, and a sum will be allotted equal to their present cost, to be paid annually. This sum they may augment or diminish by increasing or diminishing the existing taxes. But the cost to the British taxpayer cannot be increased by any fresh expenditure undertaken by the Irish Ministry.

The existing state of financial relations between the two countries is matter of guesswork and estimate, because there is no separate Irish Exchequer, and thus the yield of Customs, Excise, and Income Tax, which between them make up nearly four-fifths of Irish revenue, cannot be accurately computed; but the provisional figures given in the outline of financial provisions circulated with the Bill may be here reproduced :

### "Present Irish Revenue and Expenditure

"It is estimated that the revenue to be derived from Ireland in the year 1912-13 will be as follows :

	£
Customs ... ..	3,230,000
Excise ... ..	3,320,000
Income tax ... ..	1,512,000
Estate Duties ... ..	939,000
Stamps ... ..	347,000
Miscellaneous ... ..	137,000
Post Office ... ..	1,354,000
Total ... ..	10,839,000



## THE HOME RULE BILL

"It is estimated that the expenditure for Irish purposes in the year 1912-13 will amount to £12,354,000. The expenditure may be divided for the purposes of this Memorandum as follows :

	£
All purposes not separately specified ...	5,462,000
Post Office ... ..	1,600,000
Old Age Pensions... ..	2,664,000
Charges under the Land Purchase Acts	761,000
National Insurance and Labour Exchanges	191,500
Royal Irish Constabulary ... ..	1,377,500
Collection of revenue ... ..	298,000
<hr/>	
Total ... ..	12,354,000

"The expenditure therefore exceeds the revenue by £1,515,000.

"It is anticipated that in a period of ten or fifteen years the charges under the existing Land Purchase Acts will increase by £450,000, and under the National Insurance Act by £300,000. On the other hand, it is estimated that within twenty years the cost of Old Age Pensions will decrease by £200,000." That is to say, under existing circumstances there will be a normal increase bringing the deficit well over £2,000,000.

**Who will Bear the Loss ?**—No one believes or suggests that under the Union this loss will diminish. On the contrary, Unionists propose to spend more upon Land Purchase and upon general development of the country.

In any case, it is clear that a loss exists. It is clear also from the Treasury's accounts that this loss only dates from the institution of Old Age Pensions.

Upon the Treasury's own figures the sums contributed

## THE HOME RULE BILL

by Ireland to Imperial expenditure since 1817 amount to close upon £330,000,000.

It would not be common fair play for England to maintain the financial connection as long as it was profitable to her, and to sever it at a moment when her management of Irish affairs had produced a heavy deficit.

It is reasonable, therefore, that England should continue to make for a period of time the loss which she would in any case make under the Union; but it is equally reasonable that while, out of British taxation, she is bearing a considerable part of the cost of Irish administration she should keep a close control over Irish finance.

That is provided by this Bill.

Further, it is desirable that an Irish Chancellor of the Exchequer should have the power either to lighten the present burden of taxation in Ireland, which is undoubtedly grievous, or to save money for Irish purposes by economy on Irish services; or, again, to undertake new Irish expenditure, if Ireland were willing to submit to Irish taxation for Irish purposes.

The means to do all these things are provided in the Bill.

**The Position of the Imperial Taxpayer.**—But also it is fair that, if the general prosperity of the country increases, the British taxpayer should be relieved progressively of the burden which he bears. This will result from the growing yield of Customs, Excise, Income Tax, and other Imperial duties, all of which will go to reduce the deficit.

And, finally, it is fair that Ireland, when she reaches

## THE HOME RULE BILL

a normal condition, should make her contribution to the general upkeep of the Empire; and when she is able to do this, it will no longer be necessary for Great Britain to interfere so much in her money business.

All these things are arranged for in the Bill.

It has been seen that there will be two sorts of taxes in Ireland—Imperial taxes and Irish taxes, which latter may be either an addition to Imperial taxes or may be new imposts.

The first charge on the yield of Imperial taxes in Ireland will be the payment of the present cost of those services which are transferred to the Irish Government, and of the "Surplus Grant."

But the proceeds of Irish revenue, as at present estimated, will exceed by over £3,000,000 the cost of Irish Services and of the Surplus. This balance will go towards paying for the Reserved Services.

**Lightening the Burden of Taxation.**—It is to this quarter that the Imperial taxpayer may reasonably look for relief. He will be losing for the first year £2,000,000 on Ireland. If the yield of Imperial taxes increases annually by £200,000—and the increase in the last recorded year was £700,000—then, at the end of ten years, the deficit will have disappeared.

On the other hand, the Irish taxpayer may hope for either a reduction of his burden or an improvement in public services.

If money is saved, for instance, on the Judiciary or the Prisons Board, his taxes may be reduced to that extent; or, again, the surplus provided by the Imperial contri-

## THE HOME RULE BILL

bution may be applied to relief of taxation by taking something off the Imperial taxes.

Or, again, the burden of taxation may be shifted. 'At present 70 per cent. of Irish revenue comes from indirect taxes, of which the poor pay an undue proportion. It would be possible, for instance, to lighten the tax on tea and to devise some new form of direct taxation which would be paid in less measure by the very poor.

Thus the finance of the Bill has the great merit of elasticity. It is essentially provisional in its character, but it is based on sound principles.



# THE HOME RULE BILL

## JUDICIAL POWERS

**Appointment of Judges.**—Clause 27 lays down that in future Irish Judges shall be appointed by the Lord Lieutenant—that is, of course, on the advice of the Irish Ministry. They will hold by the same tenure as English Judges, except that an Address for their removal must come from both Houses of the Irish Parliament. Short of this they will hold office for life.

**The Question of Appeals.**—By Clause 28, Appeals from Irish Courts, which at present go to the House of Lords, will in future be taken to the Judicial Committee of the Imperial Privy Council, as is the case with Colonial appeals.

All such cases must be heard by at least four Lords of Appeal, at least one of whom must be, or have been, a Judge of the Supreme Court in Ireland.

**The Question of *ultra vires*** is dealt with in Clause 29. If any Act or Bill of the Irish Parliament is thought to be beyond the powers conferred on the Irish Parliament, the British Government may refer this question to the Judicial Committee of the Privy Council, constituted as described above.

Any person interested in any such case may appear before the Judicial Committee, and any person may petition the Sovereign to institute such a reference to the Judicial Committee.

Clause 30 indicates that where a Court of Law in

## THE HOME RULE BILL

Ireland has the power to decide upon the validity of any law made by the Irish Parliament, an appeal from this Court's decision may lie to the Imperial Privy Council by leave of the Court of Appeal or of His Majesty; and

Secondly, there shall be an appeal to the Court of Appeal in Ireland from the decision of any lower Court in Ireland which touches the validity of any law made by the Irish Parliament.

**The New Conditions of the Lord Lieutenant's Office.**— Clause 31 specifies the new conditions of the Lord Lieutenant's office. There is no bar on the ground of religion. His term of office will be six years, subject only to the Sovereign's power to revoke the appointment. His salary will be paid by the Imperial Exchequer, but the Irish Exchequer must contribute £5,000 towards it, as is done by the transmarine Dominions towards the salaries of their Governors.

These 31 Clauses virtually embody the whole of the new Irish Constitution. What follow are merely formal or transitional provisions.

# THE HOME RULE BILL

## SAFEGUARDING THE INTERESTS OF EXISTING SERVANTS OF THE CROWN

Clauses 32-7 make provisions for the interests of existing servants of the Crown in Ireland.

By Clause 32 Judges and other officers whose salaries are charged on the Consolidated Fund are to be continued on the same footing as before. That is to say, these Judges will be removable only on Address from the Imperial Parliament, and other officers will be removable only by the same authorities as before the transfer. Their salaries and pensions are to be as before, and no increase of duties must be placed upon them without extra remuneration.

Further, if any of them does not care to serve under the new Government, he may retire, and may apply for a pension before completion of the term of service entitling him to one.

Clause 33 guarantees that all other Civil Servants shall be continued in their offices as before, and with all the existing arrangements as to superannuations and pensions. Their pensions will be an Imperial charge deducted from the Transferred Sum.

Clause 34 establishes a Civil Service Committee to deal with points arising under these Clauses.

It will consist of three members; one appointed by the Treasury, one by the Irish Government, and one by the Lord Chief Justice of England.

## THE HOME RULE BILL

Clause 35 provides that officers and constables of the police whose services are transferred to the Irish Government shall be guaranteed their pensions by a deduction from the Transferred Sum.

Clause 36 arranges for determining who is an "Irish officer."

Clause 37 arranges that police officers and constables of the Dublin Metropolitan force, or of the Royal Irish Constabulary, shall, when taken over by the Irish Government, enjoy the same conditions and be liable only to the same duties as before.

### GENERAL

By Clause 38 all existing laws, institutions and authorities in Ireland are to continue to exist, subject only to the changes made in the Act.

By Clause 39 Crown lands and property may be vested in the Irish Government.

By Clause 40 powers may be delegated by any Department of the Imperial Government to the officers of an Irish Department, but, in such case, the responsibility will rest with the Imperial Department.

Clause 41.—(1) The Irish Parliament may not repeal or alter any provision of this Act by which it is brought into being.

(2) If, after Home Rule is established, the Imperial Parliament makes a law extending to Ireland, and concerning one of the subjects on which the Irish Parliament has a right to legislate, any law of the Irish Parliament which conflicts with this law will be void in so far as it conflicts.



# THE HOME RULE BILL

This is a formal declaration of the overriding power in concurrent legislation.

## TRANSITORY

**The Date of the First Meeting of the Irish Parliament** is appointed by Clause 42 as the first Tuesday in September, 1913, and this Clause also makes arrangements for the establishment of the new system. 'All Irish Members then sitting at Westminster are to vacate their seats.

**Advances on Account of the Transferred Sum.**—Clause 43 authorises the Treasury to make payment on account of the Transferred Sum until the Joint Exchequer Board shall have assessed the amount of the sum to be transferred. This assessment must be completed within three months.

**Power of the King to make Alterations by Order in Council.**—Clause 44 gives power to the King to make alterations by Order in Council in existing Acts of Parliament, so as to bring them into harmony with this Act and to regulate the relations between the Irish and British Post Offices and Telegraph Services. Amongst other things, it provides that any Old Age Pensioner in receipt of a pension shall continue to receive that same pension, even after the service is transferred to the Irish Government.

Clause 45 arranges that such Orders in Council shall lie before Parliament for 40 days, and may be annulled on an Address from either House.

The remaining Clauses are merely formal.

# THE HOME RULE BILL

## SCHEDULES

### First Schedule

#### PART I

**The Constitution of the New Irish House of Commons.**—The present Irish representation consists of 103 Members, of whom two represent the University of Dublin.

The new Irish House of Commons will consist of 164 Members. Dublin University will still have its two Members, but no representation is given either to the University of Belfast or to the National University.

**The Redistribution of Seats.**—There are at present 16 borough Members and 85 county Members. There will be 34 borough Members and 128 county Members.

Taking the division by provinces, Ulster will have 59 Members, an addition of 26; Leinster 41, an addition of 13; Munster 37, an addition of 12; and Connaught 25, an addition of 10.

Taking the Schedules more in detail, three boroughs are suppressed—Galway, Newry, and Kilkenny—all held by Nationalists.

Belfast will have 14 representatives, an addition of 10; Dublin 11, an addition of 7; but a great part of Dublin is included in the two county divisions, which will each become three-member constituencies. Cork will have 4 Members; Londonderry and Limerick, 2 each.

## THE HOME RULE BILL

'An additional representation of urban interests is very desirable in a country so predominantly agricultural as Ireland.

Looking at the matter from a party point of view, it appears that out of the eighteen seats added to the borough representation, ten are added to constituencies now Unionist, and eight to Nationalist constituencies.

This is, however, to regard Londonderry as a Unionist seat, which probably it would not be at another election.

Sixteen are added to the Ulster representation, of which ten would be Unionist and six Nationalist gains, if the present representation is a true guide.

The additions in the other provinces have no importance from the point of view of the present party system; but it will be seen that, of the 61 seats added, 20 are more or less ear-marked for the Unionists.

Those who are at present the minority should be able to control about one-fourth of the representation in the new Parliament, as against their present proportion of less than one-fifth; that is to say, they would be equal in strength to a party of 160 in the British House of Commons.

### PART II

**Irish Representation at Westminster.**—Of the 42 Members whom Ireland is to send to Great Britain, 8 will be borough Members; 4 representing Belfast, 3 representing Dublin, and 1 Cork.

There are 11 Members for Ulster counties, out of whom Unionists might probably return 6.

## THE HOME RULE BILL

Antrim and Down each get 2 Members; Armagh, Cavan and Londonderry, 1 each.

The case of the small counties, Monaghan and Fermanagh, is met by throwing them in respectively with Tyrone and Donegal, each of these combined areas returning 2 Members.

Leinster has 8 Members, Dublin County returning 2, who would be returned by a predominantly urban vote. Wexford has 1 Member, and each of the other five represents a grouping of two counties.

Munster has 9 Members, representing constituencies grouped territorially according not only to their geographical position, but to their affinities. Thus Kerry and West Limerick go together, while East Tipperary, East Waterford and the Borough of Waterford make a constituency representing the valley of the Suir.

Connaught has 6 Members, again divided on the territorial grouping, which does not coincide with county boundaries.

The **Second Schedule** details the Stamp Duties which must be uniform for both countries.

The **Third Schedule** lays down elaborate provisions and rules for the compensation of various classes of existing Irish officers.

The **Fourth Schedule** makes similar provision for members of the Royal Irish Constabulary and Dublin Metropolitan Police.



# THE HOME RULE BILL

Mr. Redmond's Speech on the First Reading,  
April 11th, 1912

## "A VAST CONSTITUTIONAL AND IMPERIAL ISSUE"

Whatever views may be entertained by hon Members for or against this Bill, as described to us by the Prime Minister, everyone will agree that this is a great historical occasion, and that the subject we are called upon to discuss is a vast constitutional and Imperial issue. Such a theme deserves from opponents, as well as from supporters, calm and serious discussion. It may possibly be considered the interest of some people in this House to engender passion in debates and to endeavour to overwhelm the issue by personal attacks and by insulting and irritating references to the nationality and the cherished aspirations of the Irish people. But I would like to say at the commencement of these discussions that, so far as my hon. friends on these benches are concerned, we will not be tempted to retaliate, and I can assure the House that, so far as we are concerned, we will enter on these discussions with a heavy sense of responsibility, and will conduct the Debate, so far as we can, with self-restraint and good temper. I have held for a very long time that as a rule First Reading Debates are more or less futile. Until hon. Members have in their hands the print of the Bill, no matter how great and lucid the exposition of it may

## THE HOME RULE BILL

have been, it is impossible to have anything except something very much in the nature of a futile discussion, and I think one of the earliest reforms in the procedure of this House in the future ought to be to abolish First Reading Debates altogether.

### **The Root-and-Branch Opponents of Home Rule.—**

But, with reference to the right hon. gentleman (Sir E. Carson) who has just resumed his seat, this consideration is scarcely a disadvantage at all. He is not in the position of a man objecting to this Bill because of its details; he stands as an opponent to Home Rule in any shape or form. He said the other day in Belfast that if both parties in this House united to carry a Home Rule Bill—in fact, if the House of Commons were unanimously in favour of it with the exception of the half of the representatives of Ulster—he would be opposed to it. He stands, therefore, not as a critic of the details of the Bill, but as a root-and-branch opponent of Home Rule in any shape or form. Although, as the Prime Minister has reminded us, a little over a year ago a number of prominent Unionist politicians in this country and many leading Unionist organs of public opinion were seriously discussing the possibility of making Home Rule, under some different name, perhaps, part of a general settlement of the Constitutional question, and although undoubtedly there are many Members in the Unionist party to-day of the same opinion, still, so far as the right hon. gentleman is concerned, he takes up the clear and frank position that under any circumstances, no matter what the majority of the United Kingdom in favour of Home Rule may be, he

## THE HOME RULE BILL

will oppose it so long as he has at his back a certain number of the representatives of the constituencies in Ulster.

**The Principle of Devolution is the Bond of Union.**—I will not delay the House by any academic discussion on the principle of this Bill. The principle of devolving on local assemblies the management of local affairs has at its back the sanction of the whole world. It has at its back the sanction of the Empire. Why, it is the foundation of the Empire to-day, and it is the bond, and the only bond, of union. I think it is true to say that no community of white men within the Empire has ever asked for this right and up to this has been refused the exercise of it.

**The Problem of Ulster.**—The right hon. gentleman let fall a phrase, the exact meaning and significance of which I do not appreciate. He endeavoured to draw a clear line of demarcation between those whom he represents and the rest of the people of Ireland, and he said, if it is right to give Home Rule to the rest of Ireland, is it not right to give it to Ulster? Is that his proposal? Is that his demand?

Sir E. Carson: Will you agree to it?

Mr. John Redmond: I would like the proposal to be made first. I did not appreciate the importance of that statement, and I do not know that I do now. I do not know whether it is a statement in the air or whether there is anything behind it; but, under the circumstances of this case, the onus undoubtedly lies upon those who argue that what has proved to be good and just everywhere else in the world is bad and unjust and mischievous in Ireland.

## THE HOME RULE BILL

**Are Home Rulers Separatists?**—What are the main arguments against the principle of self-government for Ireland? The first of them is the question of separation, and Unionist orators, especially in the country—I notice more in the country than in this House, where they are face to face with their opponents—have constantly been saying that the Irish people want separation, and that the Irish leaders are separatists. I will be perfectly frank on this matter. There always has been, and there is to-day, a certain section of Irishmen who would like to see separation from this country. They are a small, a very small section. They were once a large section. They are a small section, but these men who hold these views at this moment only desire separation as an alternative to the present system, and if you change the present system and give into the hands of Irishmen the management of purely Irish affairs even that small feeling in favour of separation will disappear, and, if it survive at all, I would like to know how, under those circumstances, it would be stronger or more powerful for mischief than at the present moment.

**Parnell's Position.**—It is constantly said that the late Mr. Parnell was a separatist in disguise, and it is one of the commonplaces of the platform of this country that I am a separatist in disguise, and that my friends are all separatists in disguise. Of course, when an assertion of that kind is made, as far as I am concerned, I can only deny it. What is Mr. Parnell's record on this matter? In his evidence before the Parnell Commission on 1st May, 1899, he said :



## THE HOME RULE BILL

"I have never gone further, either in my thought or action, than the restitution of the legislative independence of Ireland,"

and in 1886 he specifically accepted as a final settlement of that demand the concession of a strictly statutory subordinate Parliament for Ireland, and that acceptance by him was endorsed by the mass of the Irish people. The other day I came across a really interesting statement by him, made quite early in his career, when he was engaged in a violent movement in Ireland, when time had not mellowed his views or turned him into what might be regarded by Englishmen as a matured statesman, and when his views naturally would be more vehement than they were later in his life. What did he say? He said :

"Home Rule would be the introduction of a system which would remove the rankling sting of suppressed but not extinct enmity. Give back to Ireland her nationality, her individual existence, and soothe thereby the wounded pride that goes for so much in history, and that often turns the scale in the destinies of nations as well as of individuals. Such a system as that——"

Mark these words—

"would teach Ireland to regard Imperial affairs with interest, as being the concerns no longer of a master and oppressor, but of a dear colleague and sister, whose honour and dishonour would be alike hers, whose downfall could never be her profit, and to whom she would be bound by ties sacred because voluntarily assumed. It would be a system that would *de facto* though not *de jure* be an intimately closer union than England has yet brought about by six centuries of coercion, or than she could bring about by six centuries more of the same method."

## THE HOME RULE BILL

That was not made at a time when Mr. Parnell was endeavouring, as it is said I am endeavouring to-day, to cajole public opinion in England into giving Home Rule to Ireland. It was made years before Home Rule became a reality in this country. It was made when fighting against both parties in this country, and I cite those words to show that Parnell was never a separatist, and that his evidence before the Parnell Commission was absolutely true.

**“We Stand where Parnell Stood—We are not Separatists.”**—We on these benches stand precisely where Parnell stood. We want peace with this country. We deny that we are separatists, and we say we are willing, as Parnell was willing, to accept a subordinate Parliament created by a Statute of this Imperial Legislature, as a final settlement of Ireland's claims.

**The Question of Religious Intolerance.**—If I might be allowed to say so, I was extremely gratified and relieved to find that the right hon. gentleman who has just spoken put the religious aspect of this question in a very different way from that in which I am sorry to say it is put from the platform, and in leaflets and pamphlets. As far as we are concerned, we in Ireland regard no insult as so grievous as the insult that we, as a nation, are intolerant in matters of religion. We believe that your Protestant Unionist historian Lecky told the truth when he said that was never a characteristic of the Irish people all through their history. We believe the testimony of John Wesley, who, after his journey in Ireland, recorded in his journal that he was received everywhere with kindness, and who

## THE HOME RULE BILL

spoke in the highest terms of the tolerant spirit of the Catholics of Ireland. Still, there are, we admit, Protestants in Ireland, and in this country, who do not believe that, and who, many of them apparently, entertain honest fears upon this matter. Our position on that point is this : We say, "Put into your Bill any safeguards you like." There are many safeguards in this Bill; and it is idle to tell the House of Commons or to tell any sensible man that these safeguards are of no use. You have got your nominated Senate.

Captain Craig : "Nominated." By whom ?

Mr. John Redmond : Nominated, in the first instance, by the Imperial Parliament.

**"The Safeguard of the Veto."**—Then, there is the safeguard of the veto, a most far-reaching safeguard. The right hon. gentleman apparently thinks the veto makes this Bill such a sham and a fraud from the Nationalist point of view that it is not worth our taking. What free Parliament in the world, he says, would submit to it? Every free Parliament in the Empire is subjected to it. Is it not trifling with the House of Commons to say that we must regard as a humiliation to us and as a degradation to our Parliament, a provision with reference to the veto which is in operation in every one of the self-governing Colonies? [An Hon. Member : "Is it exercised?"] Yes, and exercised. It has been exercised, and it would be exercised to-morrow if anything in the nature of an unjust and intolerant Bill attacking people because of their religious faith were to be passed, and so it will be exercised in Ireland, and so only. No one suggests

## THE HOME RULE BILL

that veto will be exercised every day in the daily life of the Irish Parliament. Of course, if it were, the latter state would be worse than the first, and the whole system would break down. I say it is a safeguard to the Protestants and to those who really have a fear for their property or their religion. Any Bill interfering unjustly with them can be reserved for the decision of the King in Council here on the decision of the Imperial Parliament.

The right hon. gentleman did not allude at all to the Clause which the Prime Minister read out, and which expressly forbids—

“making any law interfering with the free exercise of religion, or endowing or giving any preference or privilege to any religion or making any religious belief or religious ceremony a condition of the validity of any marriage in Ireland.”

Any law made in contravention of these things would not have to be vetoed by the Crown at all. It would be void by itself.

**“The Inalienable Supremacy of the Imperial Parliament.”**—Then, behind that, there is the inherent and inalienable supremacy of the Imperial Parliament. This Parliament has the power to pass legislation for every one of the self-governing Colonies. It has the power to repeal any of their Bills. It has the power to pass concurrent legislation. It will have the same power here, and no more. And how, in the name of common sense, anybody can say that the small minority in Ireland—and that minority is a very small minority—can entertain really honest fears under these circumstances passes my comprehension.



## THE HOME RULE BILL

### **"The Price of the Privilege of Misgovernment."**—

The right hon. gentleman went into the question of finance, and said, "You are not only giving Ireland the management of her own concerns, but you are asking England to pay £2,000,000 a year to enable her to have that privilege." You are doing nothing of the kind. You are at present paying £2,000,000 a year, more or less, for the privilege of misgoverning us, and of keeping Ireland discontented and dissatisfied.

**The Question of Finance.**—This financial business is worth considering for a moment. When the first Home Rule Bill was introduced in 1886 Mr. Gladstone was enabled to provide an Imperial contribution of three and a quarter millions sterling. Seven years passed, and when he introduced his second Home Rule Bill he found he was only able to provide an Imperial contribution of two and a quarter millions. The contribution has been a decreasing contribution for many years. Its history is extraordinary. In less than a century Ireland has contributed to the upkeep of the army and navy, in addition to paying out of her own taxes the whole of her own cost, a sum of £325,000,000 sterling, and it is an extraordinary thing that, during the famine years in Ireland, from 1846 onwards, Ireland was still contributing, although you were sending money over to keep her people from starvation, something like £2,000,000 a year to the upkeep of the Empire.

Mr. Gladstone warned England what would happen. In his speech he distinctly pointed out that this contribution was a diminishing quantity, and, if Home Rule were

## THE HOME RULE BILL

refused, it would speedily disappear. I think he said it would do so in fifteen years, and, as a matter of fact, in practically fifteen years it had disappeared. You are not asked to finance the Government. You are not asked to pay anything in addition to what you are paying already, or what you will be paying if this system goes on for the next two or three years. I myself therefore think that from the financial point of view alone this Home Rule Bill ought to commend itself to the judgment of the people of this country. But, after all, is not that a rather unworthy standpoint from which to view a question of this kind? Is it not an unworthy standpoint for a great, powerful, and wealthy country like England to take up? Think what it cost to settle the Transvaal. You forgave them a loan of £30,000,000. You gave them £3,000,000 or £4,000,000 sterling for other purposes. I say nothing about what you spent on the war, but if, instead of £30,000,000 the sum had been £300,000,000, do you think there is any Englishman who will say it was not worth it in order to have cemented the races as it has done, and turned South Africa into a loyal portion of the Empire? It is unworthy the people of this country to talk in this way about terms. If Home Rule is unjust and wrong, refuse it; if it is just and right, what consistent argument can you put forward which is founded upon the question of a few paltry pounds, shillings and pence?

**Nominated or Elected Senate—Which?**—I want to pass from this general subject to the proposals of the Bill. The House will naturally expect to hear from me some definite views upon those proposals, and upon the Bill as

## THE HOME RULE BILL

a whole. Take, first, the case of the nominated Senate. I personally have for many years taken the view that, from a democratic point of view, a nominated Senate, nominated not for life but for a short term, is a far safer body than a Senate elected on a narrow franchise. The late Sir Charles Gavan Duffy, who was one of the most experienced men in the working of free institutions in your Empire, was, in his own person, a standing object lesson of the value of Home Rule, because, having been tried for treason in Dublin, he went to the other end of the world and became one of the most loyal, wise, and honoured statesmen of the Queen in Australia. In a remarkable pamphlet, issued a few years ago, he said :

“Nomination and not election is a method by which a Upper House is commonly chosen in free countries. Teuton, Celt and Magyar, Catholic and Protestant, large and small States, have equally preferred deliberate selection to the hazard of the hustings. Senators are nominated in Italy, Germany, Austria, Hungary, Prussia, Portugal, Bavaria, and several smaller States, and among British Colonies in Canada, New Zealand and New South Wales. In Victoria, where they are elected, there has been an intermittent struggle for five-and-twenty years by the elected Upper House to exercise financial powers which on principle and by nearly universal practice are reserved for the popular Chamber.”

**The Danger of Elected Senates.**—Only the other day—and this will interest hon. Members on the Labour benches opposite—we had a most extraordinary instance of the danger of an elected Upper Chamber—elected on a narrow franchise. It occurred in Australia. In South Australia the Labour party was returned to office and introduced a number of what seemed to them and to a

## THE HOME RULE BILL

large majority of the elected Members, valuable measures. They were all rejected by the Upper elected Chamber. Then the Labour Government dissolved Parliament and came back a second time with a majority and sent their measures up again. Again they were all rejected, and then they introduced and passed a Parliament Bill, like the one passed here last year. They sent that up, and that was rejected. They had no Royal prerogative to fall back upon, and the result was an absolute déadlock. That is an instance which I give to my hon. friends opposite of the danger of an elected Upper Chamber when it is on a narrow franchise, and it is a proof, I submit, that a nominated Upper Chamber is more valuable.

### **Irish Representation in the Imperial Parliament.—**

Let me take another point. Let me say a word on the reduction of Irish Members at Westminster. On this question of—I will not call it federalism, because that is a word which is very much misunderstood—on this question of local bodies managing their own affairs at home and sending local representatives to this House, I personally have a perfectly consistent record. In the Debate on the Second Reading of the Home Rule Bill in 1886, when a proposal to exclude all the Irish Members was made, I stated in my speech that while, of course, I agreed, as Mr. Parnell had agreed, to accept it, I only agreed with great reluctance, and I said I looked forward to the time when, if Irish Members were entirely excluded, they would be called back in very fair numbers to take part as representatives with other portions of the United Kingdom in what would be a real Imperial Parliament. I entirely



## THE HOME RULE BILL

share the hope and belief of the Prime Minister that this Bill will be the first great step in a movement which will end by giving local control over local affairs to the other parts of the United Kingdom. But until that is completed, I admit the presence of Irish Members here in any numbers is an anomaly. Your Constitution is full of anomalies and full of inconsistencies—which is worse. The point I want to make is this : until the system is completed you must have a certain amount of abnormality in your proceedings here. What is the best way of dealing with it ?

### **The Reduction of Irish Members at Westminster.—**

The best way is that taken by the Government in reducing the numbers. For my part, they might reduce them considerably more. I would not complain. On this question of reduction of the Irish Members may I remind the House that Mr. Parnell was willing in 1886 to have no Irish Members here, although such serious questions as the police and the judiciary were reserved to this House ; and when Mr. Gladstone changed his mind and decided that the Irish Members should be here, Mr. Parnell took the view that they ought to be here in small numbers. The other day I was reading an extremely interesting statement made by him in a published letter on 5th February, 1891. It was when he was having an unfortunate controversy with Mr. Gladstone and the Liberal party. He said :

“But within the last twenty hours, information of a most startling character has reached me from a reliable source. It will be remembered that during the Hawarden communication, the one point upon which the views of the Liberal leaders were not definitely and clearly conveyed

## THE HOME RULE BILL

to me, was that regarding the question of the retention of the Irish Members at Westminster. It was represented to me that the unanimous opinion was in favour of permanently retaining a reduced number, thirty-four, as the symbol of Imperial unity but not with a view of affording grounds, occasions, or pretexts for Imperial interference in Irish national concerns, it being held most properly that the permanent retention of a large number would afford such grounds."

And he goes on to say :

"But from the information recently conveyed to me it would appear that this decision has been reconsidered, and that it is now most probable that the Irish Members in their full strength will be permanently retained."

From that point of view we certainly have authority for the position we take up—in order to meet the anomaly which will exist and prevent a manifest injustice by calling on Irishmen to manage their own affairs and come over here in such numbers as to dominate your affairs. We desire to be here only under such conditions as to make it practically impossible for us to govern decisions on Scotch, Welsh, or English Bills. We are only brought here at all because, pending a final settlement, it is necessary that this symbol of Imperial unity should be, at any rate, maintained.

**Irish Revenue and Expenditure.**—On the question of finance I desire to express my strong opinion that this is a far better Bill than either the Bill of 1886 or that of 1893. As I understand the Bill—the Prime Minister will correct me if I am wrong—the Irish Exchequer will have at its disposal the proceeds of all existing Irish taxes, and the balance between that amount and the expenditure on Irish

## THE HOME RULE BILL

services—that is to say, the deficit—will be met, and over and above that there will be a surplus of £500,000 a year. The Customs and Excise Duties, I understand, are to be fixed, in the first instance, on Imperial authority, but once they are fixed by Imperial authority, if I understand the Bill properly, they may then be abolished or reduced or increased by the Irish Parliament. In fact, Ireland will not have the power to put Customs or Excise Duties on any articles that do not bear such duties in this country. But she may decide for herself within certain limits as to some taxes, and without limit as to others, the amount of those duties and increase them to any amount, so far as the Excise on beer and spirits is concerned, and under certain limitations with regard to other articles. Old Age Pensions, Insurance, Land Purchase, and the cost of the Land Commission remain an Imperial charge, the Irish Parliament having the option of taking these charges. That is an important point, the option of taking over Old Age Pensions, the charge still remaining an Imperial charge, but the Irish Parliament being able to take advantage of any savings in the administration which she may be able to effect; and until the deficit has been worked off by means of the increased prosperity and increased taxation of the country, this country will continue, at her own cost, to collect the taxes. But when there is an equilibrium between the expenditure and the taxation then this new Board—the Joint Exchequer Board—will make a report, and some machinery will be devised whereby an arrangement can be come to, by agreement between the two parties, as to the future, whereby we get back the collection of almost all of the taxes, and some Imperial contribution

## THE HOME RULE BILL

will be fixed for Ireland in the future, and, in addition, Ireland has authority to put on any new taxes she likes.

**Land Purchase.**—On the question of Land Purchase, I listened very carefully to what the Prime Minister said, and I would like to say to him and his colleagues that, so far as the Land Purchase Acts are concerned, we fully and completely accept the principle that the Imperial Government must have the most absolute security for the payment of the loans advanced under those Acts. We believe that this principle involves the consequence that Ireland cannot claim powers to legislate as to the terms on which these loans are to be raised, or in any way whatever to interfere with the security for those loans. Subject to these two principles, I have no doubt that it must be quite easy to come to a satisfactory arrangement as to the administration of the Acts. I must not delay the House by going further into the question of police or the question of the judges; we shall have plenty of opportunity, I hope, for frank and friendly discussion of these matters in Committee.

**“It is a great Bill and We Welcome It.”**—What I want to say is this, that, viewing this Bill as a whole, I say here—and in what I say I speak for my colleagues on these benches—it is a great measure, and that it is a measure adequate to carry out the objects of its promoters. It is a great measure, and we welcome it. This Bill will be submitted to an Irish National Convention, and I shall, without hesitation, recommend to that Convention the acceptance of this Bill. I say of this Bill what Parnell said of a Bill which was, in my opinion,



## THE HOME RULE BILL

far worse : the Bill of 1886. Here are the words he used regarding that measure on the night of the First Reading :

“The Prime Minister has truly said that it ought not to proceed unless it is cheerfully welcomed not only by the Irish Members, but by the Irish people. I cordially agree in that proposition, and I am convinced . . . that it will be cheerfully accepted by the Irish people and their Representatives as a solution of the long-standing dispute between the two countries, and that it will lead to the prosperity and peace of Ireland and the satisfaction of England.”

On the Second Reading of the Bill, after discussion had gone on all over the country about it, Mr. Parnell said this :

“I now repeat what I have already said, on the First Reading of the measure immediately after I heard the statement of the Prime Minister, that we look upon the provisions of this Bill as a final settlement of this question, and that I believe the Irish people have accepted it as such a settlement.”

I beg leave to apply every syllable of those two statements on behalf of my colleagues and myself to this Bill. If I may say so reverently, I personally thank God that I have lived to see this day. I believe the Bill will pass into law. I believe it will result in the greater unity and strength of the Empire; I believe it will put an end once and for all to—[An Hon. Member : “Cattle-driving ”]—the wretched ill-will, suspicion, and disaffection that have existed in Ireland, and to the suspicion and misunderstanding that have existed between this country and Ireland; I believe it will have the effect of turning Ireland in time—of course, it will take time—

## THE HOME RULE BILL

into a happy and prosperous country, with a united, loyal, and contented people.

**“The Hand of Friendship in 1886.”**—I well remember the night when the Home Rule Bill of 1886 was introduced to this House. It seems to me only yesterday that there stood at that box the venerable figure of that grand old statesman, who, with an eloquence that moved every heart, of friend or foe alike, extended the hand of friendship to Ireland for the first time; and it seems only yesterday to me that the figure rose up of that great Irishman whose work had made the scene of 1886 possible, and whose career has made this scene of to-day possible, and who accepted the proffered hand of friendship, and accepted the Bill. These two great figures have disappeared, but their spirit dominates this scene to-day; and the memory of these two great men will be for ever cherished in the grateful hearts of their countrymen respectively in England and in Ireland.

**“The Happy Auspices of 1912.”**—Twenty-six years afterwards, to-night, another Prime Minister, with magnificent power and eloquence, has again extended the hand of friendship to Ireland; but under what happier auspices! No one can realise better than he himself how happier the auspices are to-day. Since 1886 the two peoples have learned to know each other far better. Ireland to-day is peaceful beyond record. She has almost entirely, I believe, cast aside her suspicions and her rancour towards this country; and England, on her side, is, I believe, to-day more willing than ever she was in her past history to admit Ireland, on terms of equality, liberty, and loyalty, into that great sisterhood of nations that makes up the

## THE HOME RULE BILL

British Empire. Have Members of this House read the cabled messages which were published in the papers of London this morning? One paper publishes a whole page of them from the leading statesmen of every one of your self-governing Colonies—from Canada, from Australia, and last, but not least, from General Louis Botha—all in favour of Home Rule for Ireland, and giving their blessings to this Bill and encouragement to the right hon. Gentleman who introduced it.

**What Ireland has done in Local Self-Government.**—In addition, there is this happy auspice, that England has witnessed that great experiment, to which the Prime Minister referred, of self-governing in local affairs in Ireland; and England has admired the wisdom and efficiency of the Irish people in the management of their own local concerns. [Hon. Members: "Oh, oh!"] The right hon. Gentleman the Member for the University of Dublin (Sir E. Carson) threw some doubt upon the efficiency and good working of those boards. If it were worth while, I could read to him the testimony of the right hon. Gentleman the Member for Dover (Mr. Wyndham), the testimony of Mr. Gerald Balfour, and in addition to that, I could read to him the Reports of the Local Government Board for Ireland year after year, showing that the conduct of these boards has been efficient and pure, and I could quote the figures showing that on the whole in Ireland their work has been economic and has led to the reduction of taxation. Therefore, I believe that the right hon. Gentleman to-day is introducing this Bill under far more happy auspices; and the portents, in my

## THE HOME RULE BILL

belief, point in the direction of a settlement now of this Irish question. I pray earnestly that this Bill may pass; that it may achieve all the objects which its promoters have in view; and that, in the beautiful words of the prayer with which the proceedings of this House of Commons are opened every day :

“the result of all our counsels may be the maintenance of true religion and justice, the safety, honour and happiness of the King, the public health, peace and tranquillity of the realm, and the uniting and knitting together therein of the hearts of all persons and estates within the same, in true Christian love and charity.”



# THE HOME RULE BILL

## Mr. Redmond's Speech on the Second Reading, May 9th, 1912

**Reason for Irish Satisfaction.**—I am unwilling that this memorable debate should be brought to a conclusion without making some observations to the House, and I can promise at the outset that they will be brief, by way of summing up the attitude of the Irish Nationalist party towards the main arguments used against this Bill. Let me say, in the first instance, that on the whole I think Ireland has reason to be well satisfied at the course of this debate. So far as the main principle of this Bill is concerned—that is, the right of the Irish people to manage for themselves, without interfering with Imperial supremacy, their own domestic affairs in a Parliament in Ireland—so far as that principle is concerned, it seems to me, from the general course of this debate, that it is generally conceded. [Hon. Members: “No, no.”] It certainly is true to say that, with the exception of a few speeches coming in the main from Members representing a certain part of Ulster, the arguments have all been directed to details and not to the main principle of this Bill.

**Prophets of Evil.**—I desire to point out that underlying all those arguments and all those objections, there has been the supposition that the worst will happen and not the best when Home Rule is granted; that all parties to this new Treaty will be animated by bad faith and by malice, and that instead of there being a desire shown

## THE HOME RULE BILL

to make the best of things, on the contrary, it will be the set purpose of everyone concerned to utilise any defect that may appear in the machinery of the Bill, or any provision which on paper may seem illogical and unworkable, in order to wreck the settlement. On such a supposition as that no Constitution in the history of the world would stand the test of discussion or examination. Certainly the British Constitution would not. As we all know, the British Constitution is made up of illogical and apparently contradictory and unworkable conventions and precedents, and if everyone concerned had conspired together, as some hon. Members believe would be the case in Ireland, to wreck the British Constitution, it could not have survived to this day. Further, on the supposition of bad faith and malice on the part of everyone concerned, no single Constitution which you have created in any part of your Empire would be in working order to-day. In Canada, in Australia, in South Africa, or anywhere else, if all the parties to these Constitutions had conspired to wreck these Constitutions, none of them would have survived to this day; but yet you find twenty-eight or twenty-nine of them in full successful working order to-day throughout the Empire. I was speaking the other night—during the debate on the first reading of this Bill—with one of the most distinguished citizens of Australia, a gentleman who is now upon the Supreme Court Bench of the Commonwealth of Australia. He had been one of the framers of the Commonwealth Constitution, and, after hearing the debate here in this House, he made this comment to me. He said, “We had exactly the same kind of debates in Australia pointing out that this provision was unworkable

## THE HOME RULE BILL

and that illogical, and no Constitution could be framed if objection of this kind were held to be fatal; but that Constitution went through, and to-day it is a success and a gratification throughout the whole Empire."

**"The Basis of Adverse Criticism."**—The hon. and learned gentleman the Member for Kingston (Mr. Cave), who, if I may be allowed to say so, in my opinion, delivered the ablest and most plausible attack yet delivered on the details of this Bill, enumerated a number of these so-called defects and illogical and unworkable provisions. But every one of his criticisms was based upon the supposition that the old quarrel, after Home Rule was granted, would still continue in Ireland, that the old controversy and bitterness would be perpetuated, that the old parties would be stereotyped, as if nothing at all had happened, and that the Irish people, having obtained this great charter of liberty, would prove themselves before the world as a nation of fools by at once setting to work with malice aforethought to wreck and ruin their own Constitution. Well now, upon that supposition, nothing can be satisfactory in any detail in this Bill or in any detail in any conceivable measure for granting Home Rule either to Ireland or to any portion of the Empire, and I think the logical course open to men who really believe this, who really believe the Irish nation capable of this conduct, would not merely be to oppose the concession of Home Rule in any shape or form, but to disfranchise Ireland altogether and govern it as a Crown Colony. But what ground is there for this monstrous supposition? Why will hon. Members attribute to Irishmen the malicious folly which they have

## THE HOME RULE BILL

not experienced from people in any other portion of the Empire to which they have given free institutions?

**When Home Rule is Granted.**—The very moment Home Rule is granted it will become the highest interest of the Irish nation to safeguard that constitution and to work it with moderation and success. It will instantly become the highest interest of the Irish people to cultivate the most friendly possible relations with Great Britain, and it will become the interest of Ireland, for the first time I am afraid, in her history, to do all in her power to promote the unity, prosperity, and welfare of the Empire. My own firm belief is that, in a very short period of time indeed, all the old lines of party division in Ireland will disappear. The Home Rule party, as you have known it, will disappear; it will be *functus officio*, because the object for which it was called into existence, and for which it worked, will have been accomplished. It will break up, and new parties will spring instantly into existence. I say that the man in Ireland who sets himself then to promote sectarian or class animosity, or to advocate extreme forces and extreme policies, will be regarded by the whole Irish people as a public enemy. In a word, what will happen in Ireland is what has happened everywhere else. Responsibility will have the effect of steady-ing and moderating men of all political views. The hon. and learned Member for Kingston spoke about the nominated Senate, and he expressed the opinion that in a very short time that Senate would consist of an overwhelming majority of Nationalists. He profoundly misunderstands our views and aspirations. If to-morrow I



## THE HOME RULE BILL

myself had thrown upon my shoulders the responsibility of nominating that Senate, I would put in it a large majority of men who had never been on our side in the struggle for Home Rule during the last thirty years. An entirely new class of representatives for Ireland will appear in the Irish Parliament.

**The Difficulties of the Home Rule Party.**—The late Leader of the Opposition said the other night that he thought no thoughtful Irishman really interested in education or in commerce, or in the general welfare of the Irish nation, would go into the Irish Parliament at all. I suppose that we on these benches ought to feel greatly flattered at the words used by the late Leader of the Opposition towards us. He spoke of how brilliant the Irish party had been and how powerful it had been during his political life in this House. He thinks inferior men will be elected to the Irish Assembly; but he is entirely wrong. In our fight for Home Rule we were unable to draw upon large sections of our fellow-countrymen. This party was created for one special purpose. We were bound to look for strength in an iron-bound discipline to which many of our countrymen refused to submit. We bound ourselves from the start to accept no office in connection with the administration of Ireland, and therefore all Irishmen who had an ambition to take part in the administration, in one shape or another, of the affairs of Ireland were excluded from our ranks. We could not call for assistance from the wealthy classes of our countrymen, or indeed from the most highly educated classes of our country, and great business men were, by the very nature of things, excluded

## THE HOME RULE BILL

altogether from the possibility of coming over to London to take part in a struggle such as we are waging. After Home Rule is granted all that will change. The Home Rule party, as you have known it, will disappear, and I believe you will then have at the disposal of Ireland all the best of Irish intellect, commercial genius, and patriotism, eager to take advantage for the first time for one hundred years of the gratifying and laudable ambition of serving their country in Parliament.

**The Bill the Forerunner of Federation.**—It is said that this measure cannot be final. In one sense it does not profess to be final. It was put forward by the Prime Minister as the first and necessary preliminary step in a great system of federation in which, when it is completed, the people of each component part of the United Kingdom will be enabled to transact their own local business for themselves. For myself, I have been a federalist all my life. Up to the year 1873 Irish Nationalists had been clamouring for repeal. Mr. Butt, in 1873, raised the question of federalism and established the present Home Rule movement. I then was a lad, quite a young lad, but from that day to this I have repeatedly, and in many lands, as well as in this House of Commons and in Ireland, advocated federalism as the solvent of this problem. I know some hon. Members have been employing their leisure hours very foolishly and wastefully, I think, in endeavouring to cull from speeches of mine—I see one hon. Member below me looking up one with interest; I am sure his pockets are crammed with extracts from speeches of mine—extracts showing that I really at heart

## THE HOME RULE BILL

have been a separatist. I know it is a wrong thing to quote one's own speeches as a rule, but I have been quoted and misquoted so often on public platforms in England that I ask the House to allow me to indulge in the egotism of making a short extract from a speech of mine.

**Early Views on Home Rule.**—This is what I said in 1883, before we had much hope of getting the Home Rule question settled at all. That was when we were engaged in the throes of a violent agitation. It is the speech of a young man just entering on public life, and likely, therefore, certainly to be as extreme as his sentiments were. What did I say? I said :

“By Home Rule I mean that the internal affairs of Ireland shall be regulated by a Parliament consisting of the Queen, Lords and Commons of Ireland—that all Imperial affairs, and all that relates to the Colonies, foreign States, and the common interests of the Empire, shall continue to be regulated by the Imperial Parliament as at present constituted. The idea at the bottom of this proposal is the desirability of finding some middle course between separation on the one hand, and over-centralisation of government on the other. We who propose this scheme consider that it is undesirable that two countries so closely connected geographically and socially, and having so many commercial and international ties should be wholly separated, or that any dismemberment of the Empire, which Ireland has had her share in building up, shall take place. But we are just as strongly of opinion that it is equally undesirable that one country should control the domestic affairs of another whose wants and aspirations it confessedly does not understand, whose various needs it admittedly has not time to attend to, and whose national life such a system of government tends to destroy. We propose a middle course. We say to

## THE HOME RULE BILL

England, 'retain every guarantee for the unity and strength of the Empire, but give up a task which you have proved yourself incompetent to fulfil satisfactorily. Subdivide the labours of an overburdened Parliament, and relegate to Irishmen the management of purely Irish affairs, which they alone can thoroughly understand. Let us join for every Imperial purpose, and defend the Empire, which is the heritage of both of us, against all the world in arms, if need be, but let each give up, once and for all, the attempt to rule the domestic affairs of each other. Let us have national freedom and Imperial unity and strength.' "

**A Federalist in 1886.**—That declaration was made in 1883. It has been repeated in every land in which I have spoken during the years that have intervened, and let me remind the House that when the Home Rule Bill of 1886 was under discussion on the Second Reading, although I said that I agreed, of course, to the exclusion of Irish representatives under that Bill, I said I did so most reluctantly. This is what I said :

"As a Nationalist, I may say I do not regard as entirely palatable the idea that for ever and a day Ireland's voice should be excluded from the Councils of an Empire which the genius and valour of her sons have done so much to build up, and of which she is to remain a part. I conceive, however, that even in the Bill as it stands, the permanent exclusion of Irish Members is not contemplated. The federal idea I understand and sympathise with. I look forward to the day when it may be applied to England, Scotland, and Wales, as well as Ireland. Then the character of the so-called Imperial Parliament would be changed. It would be then only an Imperial Parliament, and all the Kingdoms having their own national Parliaments would be represented."

Therefore, I say, that all my life I have been a



## THE HOME RULE BILL

federalist, and I welcome the declaration that this is the first step in a great system of federation.

**“The Bill a Bar to Federation!”—an Absurd and Illogical Objection.**—It is said that this Bill, so far from being a step to federation, is a bar to federation, and the reasons given for that statement have, I confess, filled me with amazement. It is said that the system of federation must necessarily be fully carried out at one and the same time with reference to all the States that are to be federated. Was anything quite so absurd ever said? Where, in history, can you point to a federation so carried out? Certainly not in Canada, where to this day new provinces are being added and brought into the federation. Not in Australia, where in the recollection of all of us we in this Imperial Parliament passed legislation creating new States that have been brought into the confederation since. Not in America, where constantly new States are added to the confederation. Not in Germany, because only the other day you had an instance of the province of Alsace-Lorraine being given a full and generous measure of Home Rule, and being brought into the federation. I came across an interesting argument on this point which may command the respect of some hon. Members on this side of the House. Here is what the *Observer* said on this point in October, 1910 :

“To some extent it must be admitted . . . we should be reversing the method generally followed by other federated systems. They began with separated communities and knitted them up to form one. We begin with a formal Union and have to modify it. But have not the American Republic and the Canadian Dominion

## THE HOME RULE BILL

again and again created new States—decentralising local affairs to secure a more efficient concentration on national? Why should not we in the same way distribute the management of local affairs to insure a more real, a more emphatic, a more businesslike unity and control in common affairs? We are convinced that from this point of view even the Irish question may now be so handled as to make quite practicable at least a measure of federal self-government, of ample devolution, of safe Home Rule—call it what you please—which would not only eliminate every suggestion or possibility of separation, but would confirm the legal supremacy and reinvigorate the working efficiency of the Mother of Parliaments.”

I say that the argument that this Irish Home Rule will be a bar to the federation because it is not extended simultaneously to the other portions of the federation is an absurd argument that will not bear consideration for a moment.

**Dissimilar Constitutions are Unavoidable in a Federal State.** — But, it is said, the Irish Home Rule Bill in its details is not suitable to Scotland and Wales, and that it is not exactly the kind of thing they want. What then? Is it really contended that every State in a great federation must have precisely the same cast-iron form of Constitution? Why, Sir, there are no two federal Constitutions in your whole Empire that are exactly alike. There are scarcely any two in Australia or in Canada that are alike. They differ in innumerable particulars. No, Sir, when this measure of Home Rule for Ireland is passed, it will be there ready to be fitted into a system later on of Home Rule all round. A beginning in federation must be made,

## THE HOME RULE BILL

and Ireland is entitled from her whole history to have the first place.

### **When Ireland will Contribute to Imperial Expenses.—**

In another sense, this Bill also is not final. There is a provision that when for three years in succession the revenue of Ireland exceeds the expenditure, then the financial situation will be revised, for which purpose only the forty-two Irish Members here will be strengthened by an addition from Ireland. A revision of the financial situation will be made, and with the object of enabling Ireland in the future to pay her fair quota to Imperial obligations. I rejoice in that. I believe that time will come far sooner than anybody in this House believes. I believe when it does come the Irish people will be glad, and will be proud to pay to the general expenses of the Empire their fair contribution.

**“The Bill is Not Final.”**—In those senses, this Bill is not final; but let me say, and it is only a repetition of what I said on the first reading, that as a settlement of the international quarrel between England and Ireland we accept this Bill as a final settlement. I have often been twitted with the words of Mr. Parnell:

“Let no man set limits to the onward march of a nation.”

Surely that is a truism. Where is the rash and foolish man who will rise up in this or any country and try to bind the future, bind future generations for the centuries that are to come? No, you would condemn such a man as a fool. What we can do, and what is the only thing

## THE HOME RULE BILL

you are entitled to ask from us, and what we do do, is to speak for ourselves and our own generation, just as you can only speak for yourselves and your own generation. And so we on these benches, speaking for the people of Ireland, say we accept this Bill in absolute good faith as a settlement of the international quarrel between the two countries. And we can speak for the Irish abroad as well as for the Irish at home. I have received, not merely in those cablegrams that were published in the papers, but in private communications from all parts and from every State in America, and from all parts of Canada and New Zealand and Australia, assurances from all our people that they stand behind us when we say we accept this as a settlement of the international quarrel.

### **The Question : Is Home Rule worth the Risk ?—**

Let me ask, in the few minutes which remain to me : Is it worth England's while—let me now give a purely British argument—to take the trouble and to run the risk, because I suppose no experiment was ever made in the world that was not attended by any risks, of making this great experiment ? The First Lord of the Admiralty, in his striking speech the other night, discussed the question almost entirely from an Imperial point of view. He asked the House to consider : Will Home Rule weaken or will it strengthen the position of England and the Empire in international politics in the world ? The First Lord of the Admiralty devoted a large portion of his speech to demonstrating that this Irish question, from that point of view, had diminished in importance. Up to a certain point I agree with the right hon. gentleman. It is true that by



## THE HOME RULE BILL

a comparison of sheer physical strength and absolute force, owing to the developments of the world, the Irish question is less considerable for you to-day than it was in the days of Pitt and the Act of Union. But it is my view that the Irish question, looked at in all its bearings, has not diminished, but has increased in importance as an Imperial problem, and, if I were an Englishman judging this question solely from the point of view of foreign politics and of military strength, I would conclude that the granting of Home Rule to Ireland was the most urgent step you could take for the safeguarding of yourselves in future.

**The Answer : Yes !**—I contend that this Irish question, as an Imperial, and even as a British concern, has grown in magnitude and in urgency. Other elements of the problem have appeared besides those mentioned by the First Lord of the Admiralty—the impoverishing of Ireland and the decline of her population. Four millions of her population have disappeared from Ireland. Where have they gone? Some of them, no doubt, hardship, pestilence, and death have accounted for; but where have the vast majority gone? They have gone where they have increased and multiplied and flourished exceedingly, and to-day they and their descendants constitute a source of strength to the Irish cause and a source of potential strength or potential weakness to this Empire. That is one of the senses in which I say that the magnitude of the Irish question has increased, and not diminished, since the Union. Let me dwell for one moment upon that. The Irish race have an influence in every English-speaking land in the world, an influence the nature of which is not

## THE HOME RULE BILL

properly understood by many people in this country. The Secretary of State for Foreign Affairs (Sir E. Grey), whose business it is to understand a matter of this kind, understands it fully, and he gave expression to his feeling in a memorable sentence in his recent speech in this House, which sums up this principle of foreign policy. He said :

“The good will of the Irish race is worth having. It counts for something in every part of the world that we care most for.”

**Irish Influence Overseas.**—Now I want to point to this : That that influence does exist cannot be denied, but that influence has grown considerably in recent times. Why has it grown so considerably ? The reason is that in the last thirty years the citizens of Irish descent in the United States and in every one of your self-governing Colonies have advanced enormously in material wealth, in education, and in political intelligence. There is hardly a city you can go to in any English-speaking land in the world where you do not find them at the head of great industries, great businesses, and great commercial combinations, prominent in the universities, in the professions, and in social as well as political life. Let me just ask the House to weigh whether this is important or not. That influence does not stand alone in any of these countries so long as Ireland remains unreconciled. Citizens of German birth and descent in the United States, a vast and most opulent community, have recently taken a leaf out of the Irish and American book. They, too, have found that, while, like the Irish, becoming thoroughly assimilated with American life and loyal American citizens, a certain

## THE HOME RULE BILL

separateness and solidarity in a racial sense gives them a power they would otherwise lack. I ask the House of Commons seriously to consider, when it comes to American relations with a Power to which German sentiment may be opposed and from which Irish sentiment remains alienated, whether the joint influence of those two elements on public opinion and public action is not a fact which every thoughtful Imperialist ought to bear in mind? For myself, all I do is to point to your recent experience in treaty making in America as affording some sidelight upon the subject. The existence of this extraneous point of view among American citizens is not a normal or a healthy condition for the body politic of the United States, and, if you talk with men of the United States—and I have discussed this with American statesmen and men of all parties in America—every one will tell you that point is one of their most serious preoccupations. Indeed, it is one of the causes why every leader of public thought in America of every political party is as anxious to see Home Rule passed as the Irish in America themselves.

**“The Irish Question is an Imperial Question.”**—There are other topics, and important ones, with which I should like to deal, but I am under an honourable obligation to confine my remarks within a certain limit of time, and that limit has now practically been exhausted. I will therefore conclude at once without going further into the subject, and I conclude on this note. The Irish question is an Imperial question of the first magnitude and urgency, and if, in making ready for those events which you may have to face in the future, you want to present to the world

## THE HOME RULE BILL

a spectacle of real solidarity, if you want to draw your Empire into a single bond of sympathy, and, above all, if you want to remove the obstacles which stand in the way of that natural community of understanding and action which should exist between this country and the great English-speaking Republic of America, you have the means of doing it now by passing this Bill into law.



## THE HOME RULE BILL

**Mr. Redmond's Speech at the National Convention, Mansion House, Dublin, April 23, 1912.**

**"The Greatest and Most Satisfactory Home Rule Measure."**—I do not suppose there is any man, of any political party, in Ireland who will grudge me to-day the gratification and the pride of congratulating this Convention on the fact that the introduction of the Home Rule Bill and the character of the Home Rule Bill are a complete vindication and justification of the policy which the Irish Party for the last three years have followed, in the face of unparalleled difficulties and of much discouragement and even attack here in Ireland. All through those three years we have been assailed—assailed by suspicion, by misrepresentation, and, I am sorry to say, in some quarters, by abuse; but we have felt all through that we had the Irish nation at our back. We endured and are strong, and we have refused to budge one hairbreadth from the policy we put before the country, and to-day we have our complete justification. Gentlemen, the Home Rule Bill is the greatest and most satisfactory measure of Home Rule ever offered to this country. We were reminded the other day that it is not repeal of the Union. No; but it is something far more valuable to Ireland than repeal of the Union. Grattan's Parliament was independent in theory; but it was dependent and impotent in practice. No measure passed by that Parliament could become law until it had passed King

## THE HOME RULE BILL

and Council in England; and the Executive of Grattan's Parliament was responsible not to the Parliament of Ireland, but to the Parliament of England.

### **Have the Constituencies Voted for Home Rule?—**

We have heard recently in the House of Commons statements that the constituencies have not been consulted on Home Rule. Of course, the statement is ludicrously false. In three general elections in succession the constituencies of the United Kingdom have returned a Government pledged to the principle of Home Rule. But it is pertinent to ask: How was the Union carried? Was it submitted to the constituencies? In 1793, as you all know, the Protestant Parliament of the day extended the franchise to the Catholics of Ireland. But they were never allowed to exercise that franchise. When the Union was first proposed, it was defeated in the Irish Parliament, and if the Executive Government of Ireland had been then responsible to the Irish Parliament, dissolution would have necessarily followed. The constituencies would have been consulted, and, as everybody admits, the Union would have been finally defeated. But the Executive of the day was not responsible to the Irish House of Commons, but responsible to the English House of Commons. No dissolution took place. The constituencies were never consulted, and in that way the Union was carried.

**An Irish Executive Government.**—Well, gentlemen of the Convention, under this Bill, when it becomes law, for the first time Ireland will have an Executive Government dependent upon the confidence of the Irish House of Commons. The Irish Parliament and the Irish Executive

## THE HOME RULE BILL

dependent upon and responsible to that freely elected Irish Parliament will, under this Bill, have the control—subject to a few exceptions with which I will deal in a moment—of every purely Irish affair. Instead of having certain subjects delegated to it to deal with, it will—with certain exceptions to which, as I have said, I will allude in a moment—have power over all Irish affairs, and is specifically given the right and the power to make law for the peace, order, and good government of Ireland.

**The Death Blow to Bureaucracy.**—Now, mark the first result of that. Dublin Castle, with all its evil and blood-stained tradition, disappears. That horrible system—anti-Irish, unrepresentative, centralised, bureaucratic—which has misgoverned, tortured, and ruined Ireland, crumples instantly into dust, and a new Irish Executive will control every Irish Board and every Irish Department. Let me read for you a list published in the official White Paper of the Government the other day of the departments which will immediately come under the control of the Irish Parliament and the Irish Executive. They are put in seven classes. The first class—Public Works and Buildings—includes rates on Government property, public works and buildings, railways, and other services connected therewith. The second class—Civil Departments—includes Department of Agriculture, Congested Districts Board, Local Government Board, Public Works Office, Valuation Office, Stationery and Printing, and other services connected therewith. Class three—Law and Justice, Law Charges, Supreme Court, County Courts, the Dublin Metropolitan Police, prisons, Reformatory and Industrial Schools, and

## THE HOME RULE BILL

other services connected therewith. Class four—Education, Science and Art, Public Education, Universities and Colleges, and other services connected therewith. Class five—the ineffective and charitable services, superannuation and other services connected therewith; and, finally, the Irish Post Office. With that we get immediately the appointment of all Judges, whether for the Supreme Courts, County Courts, or resident magistrates through the country. And, as you know, we get immediate control of the Dublin Metropolitan Police. Now, if I stopped there, and told you we are offered a Bill which gives you power over so vast a field of Irish government, would not I be justified in saying we should be a nation of fools not to take it?

**Imperial Control of the Reserved Services.**—But, gentlemen, the Bill goes much further. Let me deal with what are called Reserved Services—services over which England for a time will keep control. I will point out first to you about these services that most of them—in fact, all of them that we care about—will come with automatic precision under the control of Ireland in a comparatively few number of years. There are two classes of exemptions. First, there are the things that I say here to-day we don't want and don't ask for. For example, questions connected with the Crown and the succession of the Crown, with the Army and Navy, with foreign relations, with coinage, and matters of that nature. They are the first class, which I say we never asked for and don't want; and there is also in this class the

**Reservation with Reference to Religious Ascendancy.**  
—There are provisions in the Bill which would make it



## THE HOME RULE BILL

impossible for the Irish Parliament to enact laws with the object of interfering with the civil and religious rights of property of any man because of his religious persuasion. We know perfectly well, and the Protestants in this hall know as well as the Catholics, that these safeguards are unnecessary, but I have said, in dealing with the question for years past, that, though I believe them unnecessary, and though in a sense, indeed, they are humiliating to our national pride, still, as long as there were a dozen men in Ireland of our race and kin to entertain honest fears upon the subject, I would be willing to put any conceivable safeguard into the Bill to lull their suspicions to rest. I therefore say—I believe most truthfully—in your name, that we accept these safeguards; that we say to our Protestant fellow-countrymen that they are unnecessary, but if any single man thinks they are necessary we are willing that they should be in.

### **Ireland to Benefit by Economies of Administration.**

—Now, the second class of subjects reserved from our control is reserved only for a certain time. We get control of the Royal Irish Constabulary at the end of six years, and, mark you, when we get control of that force at the end of six years the cost of the service will continue to be paid from Imperial sources, and we will benefit on any economies that we may make. We get control of the Old Age Pensions system within one year, and again I ask you to mark that the cost of the system will continue to be paid after we have taken it over out of Imperial sources, and that any economies we make in the administration will go to the benefit of Ireland. The same thing is true of the

## THE HOME RULE BILL

Insurance Act, and after ten years we get control of the Irish Savings Banks. I am not disclosing any secret when I tell you that we thought the reservation of the Savings Banks for a certain number of years would be useful in order to prevent a plot being set on foot to damage Irish credit and to damage the Irish Government. And, finally, and this is the last of the reservations, finally, when the Irish deficit is paid off—as it will be in a comparatively short number of years, owing to the general increase of prosperity in Ireland—then we shall obtain the collection of Irish taxes into our hands.

**The Land Purchase Reservation.**—The one outstanding service is land purchase, and remember that that service by its very nature is of itself of a transitory character. I say quite frankly to you that, in my belief, no reasonable or thoughtful man can complain that while this system of land purchase is being carried out by Imperial credit, that the Imperial authority should insist on fully safeguarding the security for the loans. If you consider for a moment, anything else would bring land purchase to an absolute deadlock; it would make the floating of land stock absolutely impossible, and, as men who desire to see land purchase not only continued and completed, but expedited and rapidly completed, we do not want that the Imperial authority, which guarantees these loans of a couple of hundred millions, should not maintain a governing hand over everything relating to the security for the loans. But, as I pointed out to you, even that reservation is necessary only for a short time, because land purchase, so far as agreements are concerned, will be over

## THE HOME RULE BILL

in a small number of years, and once all the agreements are made it ought to be quite possible to come to a satisfactory arrangement between the two Governments as to the administration of the work of the Department. It will then be seen, ladies and gentlemen, that under this Bill we get immediate control of nine-tenths of the services, and that eventually, as a matter of course, in a few years we get control of every Irish department of Government.

**A Nominated Senate and Democracy.**—Now, objection has been taken in some quarters to a nominated Senate. Gentlemen, speaking quite freely for myself upon this matter, personally, I believe in a nominated Senate. From my reading of the history of the world, and especially the history of the Colonies, I believe a nominated Senate is a more democratic body than a Senate elected upon a narrow franchise—three conditions always fulfilled: First, the nomination must be, not, as in the Dominion of Canada, for life, but for a short number of years; secondly, a large proportion of the Senators ought to go out of office every two or three years; and, thirdly, there should be satisfactory provision as to a deadlock between the two Chambers. Now, these three conditions are fulfilled in the Bill. The Senators are to be nominated for eight years; one-fourth of them will go out every two years, and there is an admirable provision for settling any difficulties between the two Houses.

**The Power of the Senate.**—The Senate will have no power either to amend or reject any money Bill. It will have the power of rejecting an ordinary Bill twice—I think a proper provision to prevent rash or reckless legislation—

## THE HOME RULE BILL

but at the end of the second rejection the two Houses will meet together, and the Bill will pass if it has a majority of one. And let me give you another reason—a purely personal reason—why I am in favour of a nominated Senate. I want the Irish Second Chamber from the very start to be crowded with men who have not been partisans of the National Party in the past at all. I want to see it crowded by men of business and affairs—men of commerce, men representing the professions, the arts and the sciences, and the literature of Ireland, men having large stakes in the country—and although I am quite sure that after a while, when the old lines of demarcation between parties have been obliterated in Ireland, men of this type would be elected in large numbers, still, I doubt if they would be elected at the start, and I want to see them there at the start; and I tell you, if I had in my own hands the nomination of the first Senate of the Irish Parliament, I would put into it a large majority, a considerable majority, of men of the type to which I have referred.

### **“Home Rule will be a Financial Relief to England.”—**

Now, gentlemen, let me say a word on the financial clauses of this Bill. I say they need no apology from anyone. I say they constitute a good scheme—a far better financial scheme than the one in the Bill of 1886 or of 1893. Now, in a word, what does this Bill propose? Every penny of Irish taxation, no matter from what source—direct taxation or indirect taxation, Customs or Income tax, any you like—every penny of Irish taxation is to be expended on the government of Ireland. And, in addition to that, England is to provide for an indefinite number of years—as I



## THE HOME RULE BILL

hope, a short number of years—but for an indefinite number of years, a sum of at least a million and a half a year out of Imperial sources with, in addition to that, a sum, by way of surplus of Irish revenue over expenditure, commencing at £500,000, and, finally, at the end of eight years, reduced to £200,000 a year, which will be a permanent sum. Now, England cannot complain of having to pay this two millions a year. The present state of things is the result—the magnificent result—of the government of Ireland under the Union. Home Rule, as a matter of fact, will be in the nature of a financial relief to England in the end. If Home Rule is refused again, the deficit of a million and a half or two millions will in five years be four or five millions. Therefore England has no right to complain of this arrangement, as it is a good one for her. Well, there is only one aspect in which it is unsatisfactory to us.

**We want to Pay our Own Way in this Country.—**And it is humiliating to our national pride—even though we know that the situation is the result of English ignorant misgovernment—it is humiliating to our national pride to receive any subsidy, even at the commencement, from England. We want to stand on our own legs at the commencement. Hence it is that I rejoice, and you all rejoice, that this Bill provides machinery whereby when, through the increasing prosperity of Ireland, the deficit disappears—that is when, through the natural growth of prosperity, the revenue of the country exceeds the expenditure—then the Bill provides that an agreement be come to between the two Parliaments whereby Ireland will enter into an arrange-

## THE HOME RULE BILL

ment to pay whatever is decided to be her fair proportion of Imperial expenses, and whereby we in this country get control of the collection of our taxes. Now, under this scheme we get complete control of the duties of Excise on beer and on spirits. That is to say, we can abolish, if we like, all the Excise duties in Ireland, or we can diminish them; or we can increase them to any amount we wish; and similarly we have the same rights as to Customs duties on beer and spirits. We have also power to reduce or abolish the other Customs duties, such as on tea or sugar, or increase them to the limit of ten per cent. Now, ladies and gentlemen, what we have not got, and the only thing we have not got on this question, is a general power of protection against England and the whole world. For my part, I do not know that Ireland wants anything of the kind. I am not aware that Ireland asks anything of the kind; and my own personal individual view is that such power would be valueless to Ireland. Anyhow, I put it to the country and to you, that it is ridiculous for grown men to imagine they could get for this country a universal power of protection from a Free Trade Government.

**Ireland and the Government of the Empire.**—On the reduction of the Irish members in the Imperial Parliament, only one word. I assume most of you would be glad to see no members there at all—at least, a great many would—so that Ireland would be concentrated entirely on the Irish Parliament and on Irish affairs. But there are others, of whom I myself am one, who are glad that Ireland should have her share in the government of the Empire, in the building up of which she had a large share.

## THE HOME RULE BILL

But we took the view that the Irish members should not remain in the English Parliament in such large numbers as to create a constant pretext for the discussion of Irish affairs, and the only objection I have heard to the reduction is that Ireland's powers will be diminished with reference to her financial position. But the Bill provides that when the deficit disappears and the new financial arrangement is to be come to, the Irish members are to go back to the English House of Commons in full numbers in order to decide the agreement that is to be come to. Now I say, as at the commencement, this is a great Bill. I suppose no one will say it is a perfect Bill. But I venture to say that if we had been given complete power to draft the Bill ourselves we could not have produced a Bill which would not have been adversely criticised by some public body or other, or by some individual or other. Every Bill is susceptible of criticism and amendment. 'And I wish to say a serious word on this question. The question of amendment will arise on the next resolution—it does not arise now. But let me now say this one word—the question whether amendment should be moved, the question as to how far amendments should be proposed, even at the risk of wrecking the Bill, these are all questions of policy and tactics, and I claim that the men on whose shoulders is cast the responsibility of passing this measure into law, of safeguarding it from being wrecked, those men, I say, I claim must have the power of deciding for themselves on the ground and according to the exigencies of the situation on every question of policy and tactics.

**We want to Pass this Bill and we mean to Pass it.—**  
I accepted it in the House of Commons in the exact words

## THE HOME RULE BILL

which I read out in the House of Commons, the very words which Parnell himself used when he accepted a far worse Bill in 1886. I ask you here to-day to endorse my words. The one remaining hope of the Tory party is concentrated on this Convention. A few days ago the London *Times* declared that this Convention would reject the Bill. That paper has now changed its tone, and it says that, of course, it must expect that the Convention will accept the Bill, but that it will do so in a spirit of lukewarmness, in a grudging spirit, and in a spirit of carping criticism, and that paper had paraded for the relief of its friends and supporters in England those few, very few, isolated expressions of differences upon this matter that proceeded from one or two individuals and public bodies. Well, now I say to you, ladies and gentlemen, it is your duty, in my opinion, to accept this Bill, not with a grudging or lukewarmness, but with alacrity and enthusiasm.

When I spoke in the House of Commons I was told that I didn't speak for the Convention or for Ireland. I answered I spoke for every single individual in the Irish Party, and I ask you to-day to say that I spoke for Ireland.

**A Resolution.**—When the cheering subsided, Mr. Redmond said: I beg to move the following resolution:

That we welcome the Government of Ireland Bill as an honest and generous attempt to settle the long and disastrous quarrel between the British and Irish nations; and this National Convention of the Irish people decides to accept the Bill in the spirit in which it is offered; and we hereby declare our solemn conviction that the passage of this Bill into law will bind the people of Ireland to the people of Great Britain by a union infinitely closer than that which now exists, and by so doing add immeasurably to the strength of the Empire.



## THE HOME RULE BILL

Mr. Redmond's Speech at the Dinner given to him by the Eighty Club, March 1, 1912.

**The Long, Patient, and Persistent Struggle of the Irish People** for their national rights is drawing to a successful close, and the miserable and shameful chapter of the altogether unreasoning and unchristian misunderstanding and ill-will between Great Britain and Ireland is almost, if not entirely, at an end. We are met therefore, to-night, as far, at all events, as this great question is concerned, under the best auspices. My own view is gathered from my experience during the last year in Great Britain. My own view is, that so far as the great mass of the people of England is concerned, the time for arguing in favour of Home Rule is almost at an end. And if you examine with care the speeches of our political opponents, you will see to what extraordinary shifts they are now driven in order to find any argument to cover their opposition to Home Rule. The latest argument that has seriously been put forward is, to my mind, the most extraordinary of them all. Ireland, they say, is prosperous. Therefore, there is no need for Home Rule. Ireland is peaceful, therefore Ireland is apathetic and does not want Home Rule. Well, I need hardly say that these arguments are, indeed, ludicrous in the mouths of men who twenty years ago declared that Ireland was a pauper unable to support herself and that, therefore, Ireland should not get Home Rule, and who said in the same breath that Ireland was

## THE HOME RULE BILL

in a tumult of disorder and crime, and, therefore, that the Irish people were unfit for Home Rule and should not get it. Well, let me pass that by for the moment, and grant me your indulgence while I very briefly deal seriously with this argument, which, to the unthinking, is a plausible one at first sight.

**Is Ireland Prosperous?**—Now, Ireland is prosperous, they say—yes, my lords and gentlemen, by comparison with her own miserable past, she is prosperous; but by comparison with this country, with Scotland or with Wales, or with any other progressive country on the Continent of Europe, the statement is absolutely untrue. The simple fact is that for a century, under the operation of the Act of Union, Ireland has been bled at every pore. It is not merely that while every country was progressive her progress was arrested. It was the absolute decay that spread over the land. The withering of her prosperity, the destruction of her industries, the fact that during all that time she was starved and ill-treated, and now at long last, thank God—and thank also the grit of the people of Ireland themselves—she has begun slowly and painfully to lift up her head, and has begun to feel again the pulse of life beating in her veins.

Ireland is like the man who fell amongst thieves, and who was robbed and beaten and left unconscious on the roadside. But the services of the Good Samaritan, in the shape of a kindlier feeling and a better understanding on the part of England, have had their influence, and we are grateful for the partial revival in Ireland. But to speak of Ireland at the present moment as industrially thriving

## THE HOME RULE BILL

and prosperous—these are the phrases used the other day by one of the leaders of our opponents—would be as absurd as to speak of the victim of the robbers being prosperous and happy just because he was recovering his consciousness. It is true—and I am proud and glad to know it—that things are beginning to look up in Ireland. There is, I am glad to know, a feeling of hope and confidence. But do not let us ignore the real facts of the situation. Ireland has a great deal of ground to make up. By comparison she is still to-day probably the most poverty-stricken and unprogressive nation in Europe. Her population, which, as you know, was diminished by one-half in the last sixty years, is still going down. The Census of 1911 shows a decrease in the population in every county in Ulster, Munster, Leinster and Connaught, except Dublin. It shows a diminution in the population of seven out of nineteen counties of Ulster, and, notwithstanding the prosperity of Belfast—of which we are all glad and proud—there has been a diminution of several thousands in the population of the whole of Ulster taken altogether. Well, emigration is still going on. In 1910 32,451 people emigrated from Ireland, that is 7.3 per cent. of the population. The larger number of emigrants went from Ulster, and let me mention this serious factor which is still met with in the statistics of Irish emigration: 86.1 of the emigrants in 1910 were people between the ages of 15 and 35. How can you talk with any truth or decency of thrift and prosperity in a country when so large a percentage of the population of the young and strong are still leaving the shores of Ireland? That goes, I should say, a good way in understanding the actual facts.

## THE HOME RULE BILL

**The Yield of Taxes.**—But now let us go further; take the yield of the taxes. Let me compare the yield in Ireland and Scotland—countries with about the same population. The Customs in Scotland yield £53,000 more than is yielded in Ireland. The Excise in Scotland yields £1,470 more than is yielded in Ireland. The estate duties in Scotland yield £1,417,000 more than is yielded in Ireland, the Stamps £316,000 more, and the Income Tax £3,420,000 more in Scotland than in Ireland; and there are some peculiar figures about Income Tax. Schedule D (Trades and Professions) in Ireland only yields £335,000. In Scotland the figure is £1,181,000.

**Contrast of Government.**—And now let me draw a contrast between the way in which the two countries are governed. Schedule E (Public Offices and Official Salaries) received in Ireland £41,000, and in Scotland only £13,000. As you know, the rate of wages in Ireland is 7s. or 8s. a week lower than in England or Scotland, and if you turn to the railway receipts you find that in Ireland there are 3,401 miles of railway, and that the gross takings are £4,474,000. In Scotland there are 7,781 miles of railways with a gross takings of £13,104,000. I will give you one figure more. I ought to apologise for introducing figures of this kind on an occasion such as this, but the assumption which is made has a plausible appearance. The property assessed for Income Tax in the last twenty years has increased in England by £27,550,000. In Scotland it has increased by £28,000,000, and Ireland by £1,500,000, and if you take one test more it will be of interest.



## THE HOME RULE BILL

**The Great Industry of Ireland** is, of course, the land, and we are glad to know that the condition of people who are working the land in Ireland is improving rapidly. But still at this moment half of all the holdings in Ireland are under £10 valuation; 134,182 holdings are under £4 valuation. That means that half the agricultural holders in Ireland at the present moment are living on what is called uneconomic holdings—that is to say, holdings which cannot produce enough to enable the occupants to obtain a decent livelihood. And although the Congested Districts Board has done magnificent work—work which was seen by members of Parliament and others who visited Ireland recently—I can, I think, call the Chief Secretary as witness to the truth of the statement that it will, I believe, be another generation before the work of the Congested Districts Board can reasonably hope to lift all these people out of the misery and condition of semi-starvation in which they have been living. For anyone to say that Ireland now is thriving and prosperous is absurd. Ireland, I say, is recovering consciousness. She is just beginning to feel the life in her stirring again. She has begun to make some effort to retrieve her industrial position. To say that this beginning of this revival is due to the success of the Act of Union is the most audacious argument ever put forward on this question.

**Has Imperial Legislation been Successful?**—Now the next part of this argument is, if possible, more interesting. Our opponents say that this improvement, be it little or large, was due to the legislation by the Imperial Parliament, and that therefore the Union has been a success.

## THE HOME RULE BILL

Yes, I admit that much of this improvement has been due to legislation in the Imperial Parliament. How was that legislation got? The improvement was largely due to those great measures which were marked out slowly but surely—to the settlement of the land question, for example, a land system which was maintained by the Imperial Parliament under the Union all through the century—and if a settlement was approached it was only after three-quarters of a century of struggle, of misery, of bloodshed, of violence, and of crime. From the date of Catholic emancipation down to the Land Act of 1881 51 Land Bills were introduced by the Irish Nationalist representatives of the day, and were rejected—every single one of them far more moderate than the Bills that since have been passed, and every year since Catholic emancipation down to 1881.

**Coercion.**—The rejection of these Bills has been accompanied by the enactment of coercive measures. Was it the wisdom and knowledge of the Imperial Parliament? No. Everyone knows—it is not necessary for me to quote the statements of Lord Derby and others—that Act was made possible only by the fact that the attention of this country was riveted on Ireland by the intensity and violence of the Fenian Movement. What passed the Land Act of 1881? Was it due to the knowledge formed by the Parliament under the Union? We know it was nothing of the kind. We know that Mr. Gladstone, who denounced the violence of Land League agitation in no uncertain terms, has declared that the Land Bill could never have passed into law but for the

## THE HOME RULE BILL

Land League agitation; and Lord Salisbury, speaking on the Second Reading of the Bill, denounced it root and branch, and said that he would not advise his supporters to support it, and opposed its passing into law because of the anarchy existing in Ireland at the time. Then, coming down to the Land Act of 1903 we are asked to give credit to the Union and to the work of the Union Parliament for having adopted the principle of peasant proprietary and the expropriation of Irish landlord interests. Why, that was the programme of Parnell and the Land League in 1879. For advocating that programme he and all of us were thrown into prison as common criminals, and it was not until a violent semi-revolutionary and unconstitutional agitation was carried on for years that at last the principle has become enshrined in an Act of Parliament. No, gentlemen; no reform since the Union has ever been carried except, perhaps, in the last few years, unless by semi-revolutionary methods in Ireland, and fearful cost both to Ireland and this country.

**The Necessity for the New Constitution.**—I ask seriously: Are we to go on for half a century more along this path—are we to go back into the region of perpetual and violent agitation in Ireland—in order to get the remnant of reforms which we require? Are we never to be allowed to have peace in Ireland? Is violence, semi-constitutional, semi-revolutionary agitation, to be always necessary in order to carry reforms for our country? Some of you may say, and with good reason, that England is more willing to listen than she was in the past, that feelings of hostility

## THE HOME RULE BILL

to Ireland have disappeared, and that there is a better understanding of Irish needs. I willingly and gratefully admit that. Still, with all the good-will in the world your Imperial Parliament, under the present system, has neither the knowledge nor the time to deal with these problems. Our affairs, time after time, are brushed aside and shelved to make room for your more vast and more urgent questions. I do not complain—it is the necessary and natural result of the present system—but, I ask, are we again to be forced to the necessity of pressing our urgent demands upon you by violence and by agitation outside? We ask the English people to save us from this necessity. We want Ireland to see an end to agitation. This is our plea—allow us, with our local knowledge, with our ample time, to settle our own affairs, which, remember, if, as they undoubtedly are, they are small and less important than yours, still mean the happiness and the life of our nation. The argument about Ireland's prosperity is not true. Ireland is not yet convalescent; she is better, largely by reason of legislation which has been obtained in spite of the system of rule under which we have lived, and not in consequence of it, and her improvement is to every reasonable man an argument for and not against Home Rule.

**Does Ireland want Home Rule?**—Now we are told that Ireland is peaceful, and therefore she is apathetic and does not really want Home Rule at all, that these forms of representative government you have in existence are all a sham, and a country may return 86 members out of 103 consistently at every General Election for thirty



## THE HOME RULE BILL

years in favour of Home Rule, but it counts for nothing. Because Ireland is peaceful, therefore Ireland is apathetic, and does not want Home Rule.

Does it strike you that that is a rather dangerous argument? Ireland is peaceful, thank God! because she is hopeful, and not because she is apathetic. What keeps Ireland peaceful? I ask the Chief Secretary, is it the police, or is it the belief in the coming day of justice which is entertained by the Irish people?

Some persons talk about the danger of disturbance in Belfast if Home Rule is carried. Has anyone considered the probability of disturbance in the rest of Ireland if Home Rule is rejected?

**There is no Alternative between Home Rule and Coercion.**—Let the Home Rule Bill be rejected, and you will speedily see whether the masses of the Irish people are apathetic. Let Home Rule be rejected, and you will speedily find the country thrown into the welter of confusion and coercion. I would like to know how under these circumstances the coercion is going to be administered in the future by men who openly proclaimed violence, intimidation, and defiance of the law in Belfast. No, my lords and gentlemen, as Mr. Churchill said, this is a golden opportunity. Ireland is peaceful beyond all precedent in recent years. Ireland is recovering, slowly and painfully, but is still recovering her industrial strength; Ireland is pulsing with a great hope for the future. You can now, as I believe you never could in the past, with credit to yourselves, without the pressure of any violent agitation, and amid the applause of the whole

## THE HOME RULE BILL

civilised world—and especially amid the applause of your own Empire—you can, in George Meredith's words, "Mend England's broken arm."

**Ireland and the Empire.**—That brings me to another point with which I will conclude. Your chairman was right when he said this was not wholly, or, for you at any rate, mainly an Irish question. The alienation of Ireland is the weakest spot in the British Empire. What ought to be the strongest arm of the Empire is paralysed and broken. Ireland to-day begs you to bind up her wounds, or, at least, to let her bind up her own wounds, and she offers you the strength of her arm, she offers you the affections of her heart, but upon one condition—namely, that you recognise and respect her ancient, unconquered, and unconquerable nationality. Make no mistake about it. This Irish movement does not mainly rest upon National grievances. The soul of the movement is the National sentiment of the Irish people. If your Government had been as good as it has been bad, as successful as it has been unsuccessful, the masses of the Irish people would still demand the recognition of their nationality and the right to rule themselves. I have been more than once reproached by some of these industrious, but foolish gentlemen, who seem to spend their lives in hunting up all the old speeches made by my colleagues and myself during the last thirty years. I have been reproached for saying that I would sooner be badly governed by Irishmen than well governed by any other people in the world. I repeat that here to-night. I put the test to you—is there an Englishman in the room who would not prefer

## THE HOME RULE BILL

to be badly governed by Englishmen than to be well governed by either Frenchmen or Germans? 'All we ask you to do is to do for us what you have already done for the French in Canada and for the Dutch in South Africa. That is Ireland's demand. Let me conclude by putting this demand in the words of the noble lines of George Meredith, published for the first time, I believe, after his death, in his poem entitled, "Ireland":—

"She, generous, craves your generous dole—

That will not rouse the crack of doom.

It ends the blundering past control,

Simply to give her elbow room.

Her offspring feel they are a race,

To be a nation is their claim;

Yet stronger bound in your embrace

Than when the tie was but a name.

A nation she and formed to charm,

With heart for heart and hands all round,

No longer England's broken arm.

Would England know where strength is found,

And strength to-day is England's need.

To-morrow it may be for both,

Salvation; heed the portents, heed

The warnings, free the mind from sloth."

**GOVERNMENT OF IRELAND BILL**





# GOVERNMENT OF IRELAND BILL

## Arrangement of Clauses

### LEGISLATIVE AUTHORITY

Clause

1. Establishment of Irish Parliament.
2. Legislative powers of Irish Parliament.
3. Prohibition of laws interfering with religious equality, &c.

### EXECUTIVE AUTHORITY

4. Executive power in Ireland.
5. Future transfer of certain reserved services.

### IRISH PARLIAMENT

6. Summoning, &c. of Irish Parliament.
7. Royal Assent to Bills of Irish Parliament.
8. Composition of Irish Senate.
9. Composition of Irish House of Commons.
10. Money Bills.
11. Disagreement between two Houses of Irish Parliament.
12. Privileges, qualifications, &c. of Members of Irish Parliament.

### IRISH REPRESENTATION IN THE HOUSE OF COMMONS

13. Representation of Ireland in the House of Commons of the United Kingdom.

### FINANCE

14. Irish revenue and expenditure.
15. Powers of Irish Parliament with respect to taxation.
16. Relations between Great Britain and Ireland as respects Customs and Excise duties.
17. Supplemental provisions as to Transferred Sum and Irish revenue.
18. Charge on Transferred Sum of sums charged on the Guarantee Fund.
19. Development fund and road improvement grant.
20. Irish Church Fund.

# THE HOME RULE BILL

Clause

21. Supplemental provisions as to Irish Exchequer and Consolidated Fund.
22. Joint Exchequer Board.
23. Charge of Irish Government loans on Transferred Sum and management by Joint Exchequer Board.
24. Ascertainment of true Irish revenue.
25. Alteration of taxes to be treated as increases or reductions of taxes as the case may be.
26. Revision of financial arrangements in certain events.

## PROVISIONS AS TO JUDICIAL POWER

27. Tenure of office by judges.
28. Irish appeals.
29. Special provision for decision of constitutional questions.
30. Appeal in cases where the validity of an Irish law is questioned.

## LORD LIEUTENANT

31. Office of Lord Lieutenant.

## PROVISIONS AS TO EXISTING JUDGES AND IRISH OFFICERS

32. Provisions as to existing judges and other persons having salaries charged on the Consolidated Fund.
33. Continuation of service of, and compensation to, existing officers.
34. Establishment of Civil Service Committee.
35. Provisions as to existing pensions and superannuation allowances.
36. Definition of Irish officer, and provision as to officers in whose case questions may arise, &c.

## PROVISIONS AS TO MEMBERS OF POLICE

37. Continuation of service of, and compensation to, members of police forces.

## GENERAL

38. Continuance of existing laws, institutions, &c.
39. Use of Crown lands by Irish Government.
40. Arrangements between departments of United Kingdom and Irish departments for exercise of powers and duties.
41. Concurrent legislation.

# THE HOME RULE BILL

## TRANSITORY

Clause

42. First meeting of Irish Parliament and first election of reduced number of Irish members.
43. Temporary provision as to payments into and out of the Irish Exchequer.
44. Power to make adaptations, &c. by Order in Council.
45. Orders in Council to be laid before Parliament.
46. Appointed day.

## SUPPLEMENTAL

47. Definitions.
  48. Short title.
- SCHEDULES.

A

## BILL

TO

Amend the provision for the Government of Ireland.

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

## LEGISLATIVE AUTHORITY

### Establishment of Irish Parliament

1.—(1) On and after the appointed day there shall be in Ireland an Irish Parliament consisting of His Majesty the King and two Houses, namely, the Irish Senate and the Irish House of Commons.

(2) Notwithstanding the establishment of the Irish Parliament or anything contained in this Act, the supreme power and authority of the Parliament of the United Kingdom shall remain unaffected and undiminished over all persons, matters, and things within His Majesty's dominions.

### Legislative Powers of Irish Parliament

2. Subject to the provisions of this Act, the Irish Parliament shall have power to make laws for the peace, order, and good government of Ireland with the following limitations, namely,



## THE HOME RULE BILL

that they shall not have power to make laws except in respect of matters exclusively relating to Ireland or some part thereof, and (without prejudice to that general limitation) that they shall not have power to make laws in respect of the following matters in particular, or any of them, namely—

- (1) The Crown, or the succession to the Crown, or a Regency; or the Lord Lieutenant except as respects the exercise of his executive power in relation to Irish services as defined for the purposes of this Act; or
- (2) The making of peace or war or matters arising from a state of war; or the regulation of the conduct of any portion of His Majesty's subjects during the existence of hostilities between Foreign States with which His Majesty is at peace, in relation to those hostilities; or
- (3) The navy, the army, the territorial force, or any other naval or military force, or the defence of the realm, or any other naval or military matter; or
- (4) Treaties, or any relations, with Foreign States, or relations with other parts of His Majesty's dominions, or offences connected with any such treaties or relations, or procedure connected with the extradition of criminals under any treaty, or the return of fugitive offenders from or to any part of His Majesty's dominions; or
- (5) Dignities or titles of honour; or
- (6) Treason, treason felony, alienage, naturalisation, or aliens as such; or
- (7) Trade with any place out of Ireland (except so far as trade may be affected by the exercise of the powers of taxation given to the Irish Parliament, or by the regulation of importation for the sole purpose of preventing contagious disease); quarantine; or navigation, including merchant shipping (except as respects inland waters and local health or harbour regulations); or
- (8) Lighthouses, buoys, or beacons (except so far as they can consistently with any general Act of the Parliament of the United Kingdom be constructed or maintained by a local harbour authority); or

# THE HOME RULE BILL

- (9) Coinage; legal tender; or any change in the standard of weights and measures; or
- (10) Trade marks, designs, merchandise marks, copyright, or patent rights; or
- (11) Any of the following matters (in this Act referred to as reserved matters), namely—

(a) The general subject-matter of the Acts relating to Land Purchase in Ireland,\* the Old Age Pensions Acts, 1908 and 1911,† the National Insurance Act, 1911,‡ and the Labour Exchanges Act, 1909§;

(b) The collection of taxes;

(c) The Royal Irish Constabulary and the management and control of that force;

(d) Post Office Savings Banks, Trustee Savings Banks, and Friendly Societies; and

(e) Public loans made in Ireland *before the passing of this Act*:

Provided that the limitation on the powers of the Irish Parliament under this section shall cease as respects any such reserved matter if the corresponding reserved service is transferred to the Irish Government under the provisions of this Act.

Any law made in contravention of the limitations imposed by this section shall, so far as it contravenes those limitations, be void.

## **Prohibition of Laws interfering with Religious Equality, &c.**

3. In the exercise of their power to make laws under this Act the Irish Parliament shall not make a law so as either directly or indirectly to establish or endow any religion, or prohibit the free exercise thereof, or give a preference, privilege, or advantage, or impose any disability or disadvantage, on account of religious belief or religious or ecclesiastical status, or make any religious belief or religious ceremony a condition of the validity of any marriage.

\* 8 Edw. 7. c. 40.

† 1 & 2 Geo. 5. c. 116.

‡ 1 & 2 Geo. 5. c. 55.

§ 9 Edw. 7. c. 7.

# THE HOME RULE BILL

Any law made in contravention of the restrictions imposed by this section shall, so far as it contravenes those restrictions, be void.

## EXECUTIVE AUTHORITY

### Executive Power in Ireland

4.—(1) The executive power in Ireland shall continue vested in His Majesty the King, and nothing in this Act shall affect the exercise of that power except as respects Irish services as defined for the purposes of this Act.

(2) As respects those Irish services the Lord Lieutenant or other chief executive officer or officers for the time being appointed in his place, on behalf of His Majesty, shall exercise any prerogative or other executive power of His Majesty the exercise of which may be delegated to him by His Majesty.

(3) The power so delegated shall be exercised through such Irish Departments as may be established by Irish Act or, subject thereto, by the Lord Lieutenant, and the Lord Lieutenant may appoint officers to administer those Departments, and those officers shall hold office during the pleasure of the Lord Lieutenant.

(4) The persons who are for the time being heads of such Irish Departments as may be determined by Irish Act or, in the absence of any such determination, by the Lord Lieutenant, and such other persons (if any) as the Lord Lieutenant may appoint, shall be the Irish Ministers.

Provided that—

(a) No such person shall be an Irish Minister unless he is a member of the Privy Council of Ireland; and

(b) No such person shall hold office as an Irish Minister for a longer period than six months, unless he is or becomes a member of one of the Houses of the Irish Parliament; and

(c) Any such person not being the head of an Irish Department shall hold office as an Irish Minister during the pleasure of the Lord Lieutenant in the same manner as the head of an Irish Department holds his office.

(5) The persons who are Irish Ministers for the time being shall be an Executive Committee of the Privy Council of Ireland

# THE HOME RULE BILL

(in this Act referred to as the "Executive Committee"), to aid and advise the Lord Lieutenant in the exercise of his executive power in relation to Irish services.

(6) For the purposes of this Act, "Irish services" are all public services in connection with the administration of the civil government of Ireland except the administration of matters with respect to which the Irish Parliament have no power to make laws, including in the exception all public services in connection with the administration of the reserved matters (in this Act referred to as "reserved services").

## **Future Transfer of certain Reserved Services**

5.—(1) The public services in connection with the administration of the Acts relating to the Royal Irish Constabulary and the management and control of that force, shall by virtue of this Act be transferred from the Government of the United Kingdom to the Irish Government on the expiration of a period of six years from the appointed day and those public services shall then cease to be reserved services and become Irish services.

(2) If a resolution is passed by both Houses of the Irish Parliament providing for the transfer from the Government of the United Kingdom to the Irish Government of the following reserved services, namely—

- (a) All public services in connection with the administration of the Old Age Pensions Acts, 1908 and 1911; or
- (b) All public services in connection with the administration of Part I. of the National Insurance Act, 1911; or
- (c) All public services in connection with the administration of Part II. of the National Insurance Act, 1911, and the Labour Exchanges Act, 1909; or
- (d) All public services in connection with the administration of Post Office Savings Banks, Trustee Savings Banks, and Friendly Societies;

the public services to which the resolution relates shall be transferred accordingly as from a date fixed by the resolution, being a date not less than a year after the date on which the resolution is passed, and shall on the transfer taking effect cease to be reserved services and become Irish services:



# THE HOME RULE BILL

Provided that this provision shall not take effect as respects the transfer of the services in connection with Post Office Savings Banks, Trustee Savings Banks, and Friendly Societies until the expiration of ten years from the appointed day.

(3) On any transfer under or by virtue of this section, the transitory provisions of this Act (so far as applicable) and the provisions of this Act as to existing Irish officers shall apply with respect to the transfer, with the substitution of the date of the transfer for the appointed day, and of a period of five years from that date for the transitional period.

## IRISH PARLIAMENT

### Summoning, &c., of Irish Parliament

6.—(1) There shall be a session of the Irish Parliament once at least in every year, so that twelve months shall not intervene between the last sitting of the Parliament in one session and their first sitting in the next session.

(2) The Lord Lieutenant shall, in His Majesty's name, summon, prorogue, and dissolve the Irish Parliament.

### Royal Assent to Bills of Irish Parliament

7. The Lord Lieutenant shall give or withhold the assent of His Majesty to Bills passed by the two Houses of the Irish Parliament, subject to the following limitations; namely—

- (1) He shall comply with any instructions given by His Majesty in respect of any such Bill; and
- (2) He shall, if so directed by His Majesty, postpone giving the assent of His Majesty to any such Bill presented to him for assent for such period as His Majesty may direct.

### Composition of Irish Senate

8.—(1) The Irish Senate shall consist of forty senators nominated as respects the first senators by the Lord Lieutenant subject to any instructions given by His Majesty in respect of the nomination, and afterwards by the Lord Lieutenant on the advice of the Executive Committee.

(2) The term of office of every senator shall be eight years, and shall not be affected by a dissolution; one fourth of the

# THE HOME RULE BILL

senators shall retire in every second year, and their seats shall be filled by a new nomination.

(3) If the place of a senator becomes vacant before the expiration of his term of office, the Lord Lieutenant shall, unless the place becomes vacant not more than six months before the expiration of that term of office, nominate a senator in the stead of the senator whose place is vacant, but any senator so nominated to fill a vacancy shall hold office only so long as the senator in whose stead he is nominated would have held office.

## Composition of Irish House of Commons

9.—(1) The Irish House of Commons shall consist of one hundred and sixty-four members, returned by the constituencies in Ireland named in the First Part of the First Schedule to this Act in accordance with that Schedule, and elected by the same electors and in the same manner as members returned by constituencies in Ireland to serve in the Parliament of the United Kingdom.

(2) The Irish House of Commons when summoned shall, unless sooner dissolved, have continuance for five years from the day on which the summons directs the House to meet and no longer.

(3) After *three years from the passing of this Act*, the Irish Parliament may alter, as respects the Irish House of Commons, the qualification of the electors, the mode of election, the constituencies and the distribution of the members of the House among the constituencies, provided that in any new distribution the number of the members of the House shall not be altered, and due regard shall be had to the population of the constituencies other than University constituencies.

## Money Bills

10.—(1) Bills appropriating revenue or money, or imposing taxation shall originate only in the Irish House of Commons, but a Bill shall not be taken to appropriate revenue or money, or to impose taxation by reason only of its containing provisions for the imposition or appropriation of fines or other pecuniary penalties, or for the payment or appropriation of fees for licences or fees for services under the Bill.

# THE HOME RULE BILL

(2) The Irish House of Commons shall not adopt or pass any resolution, address, or Bill for the appropriation for any purpose of any part of the public revenue of Ireland or of any tax, except in pursuance of a recommendation from the Lord Lieutenant in the session in which the vote, resolution, address, or Bill is proposed.

(3) The Irish Senate may not reject any Bill which deals only with the imposition of taxation or appropriation of revenue or money for the services of the Irish Government, and may not amend any Bill so far as the Bill imposes taxation or appropriates revenue or money for the services of the Irish Government, and the Irish Senate may not amend any Bill so as to increase any proposed charges or burden on the people.

(4) Any Bill which appropriates revenue or money for the ordinary annual services of the Irish Government shall deal only with that appropriation.

## **Disagreement between two Houses of Irish Parliament**

11.—(1) If the Irish House of Commons pass any Bill and the Irish Senate reject or fail to pass it, or pass it with amendments to which the Irish House of Commons will not agree, and if the Irish House of Commons in the next session again pass the Bill with or without any amendments which have been made or agreed to by the Irish Senate, and the Irish Senate reject or fail to pass it, or pass it with amendments to which the Irish House of Commons will not agree, the Lord Lieutenant may during that session convene a joint sitting of the members of the two Houses.

(2) The members present at any such joint sitting may deliberate and shall vote together upon the Bill as last proposed by the Irish House of Commons, and upon the amendments (if any) which have been made therein by the one House and not agreed to by the other; and any such amendments which are affirmed by a majority of the total number of members of the two Houses present at the sitting shall be taken to have been carried.

(3) If the Bill with the amendments (if any) so taken to have been carried is affirmed by a majority of the total number of members of the two Houses present at any such sitting, it shall be taken to have been duly passed by both Houses.

# THE HOME RULE BILL

## Privileges, Qualifications, &c., of Members of Irish Parliament

12.—(1) The powers, privileges, and immunities of the Irish Senate and of the Irish House of Commons, and of the members and of the committees of the Irish Senate and the Irish House of Commons, shall be such as may be defined by Irish Act, but so that they shall never exceed those for the time being held and enjoyed by the Commons House of Parliament of the United Kingdom and its members and committees, and, until so defined, shall be those held and enjoyed by the Commons House of Parliament of the United Kingdom, and its members and committees at the date of *the passing of this Act*.

(2) The law, as for the time being in force, relating to the qualification and disqualification of members of the Commons House of Parliament of the United Kingdom, and the taking of any oath required to be taken by a member of that House, shall apply to members of the Irish House of Commons.

(3) Any peer, whether of the United Kingdom, Great Britain, England, Scotland, or Ireland, shall be qualified to be a member of either House.

(4) A member of either House shall be incapable of being nominated or elected, or of sitting, as a member of the other House, but an Irish Minister who is a member of either House shall have the right to sit and speak in both Houses, but shall vote only in the House of which he is a member.

(5) A member of either House may resign his seat by giving notice of resignation to the person and in the manner directed by standing orders of the House, or if there be no such direction, by notice in writing or resignation sent to the Lord Lieutenant, and his seat shall become vacant on notice of resignation being given.

(6) The powers of either House shall not be affected by any vacancy therein, or by any defect in the nomination, election, or qualification, of any member thereof.

(7) His Majesty may by Order in Council declare that the holders of the offices in the Irish Executive named in the Order shall not be disqualified for being members of either House of the Irish Parliament by reason of holding office under the Crown, and except as otherwise provided by Irish Act, the Order shall have effect as if it were enacted in this Act, but on acceptance



# THE HOME RULE BILL

of any such office the seat of any such person in the Irish House of Commons shall be vacated unless he has accepted the office in succession to some other of the said offices.

## IRISH REPRESENTATION IN THE HOUSE OF COMMONS

### Representation of Ireland in the House of Commons of the United Kingdom

13. Unless and until the Parliament of the United Kingdom otherwise determine, the following provisions shall have effect:—

(1) After the appointed day the number of members returned by constituencies in Ireland to serve in the Parliament of the United Kingdom shall be forty-two, and the constituencies returning those members shall (in lieu of the existing constituencies) be the constituencies named in the second Part of the First Schedule to this Act, and no University in Ireland shall return a member to the Parliament of the United Kingdom.

(2) The election laws and the laws relating to the qualification of parliamentary electors shall not, so far as they relate to elections of members returned by constituencies in Ireland to serve in the Parliament of the United Kingdom, be altered by the Irish Parliament, but this enactment shall not prevent the Irish Parliament from dealing with any officers concerned with the issue of writs of election, and if any officers are so dealt with, it shall be lawful for His Majesty by Order in Council to arrange for the issue of any such writs, and the writs issued in pursuance of the Order shall be of the same effect as if issued in manner heretofore accustomed.

## FINANCE

### Irish Revenue and Expenditure

14.—(1) There shall be an Irish Exchequer and an Irish Consolidated Fund separate from those of the United Kingdom.

(2) The proceeds of all taxes levied in Ireland, whether under the authority of the Parliament of the United Kingdom or of the Irish Parliament, shall be paid into the Exchequer of the United Kingdom, *but subject as hereinafter provided, there shall be charged on and paid out of the Consolidated Fund of*

## THE HOME RULE BILL

*the United Kingdom or the growing produce thereof in each year to the Irish Exchequer a sum (in this Act referred to as "the Transferred Sum") consisting of—*

- (a) such sum as may be determined by the Joint Exchequer Board established under this Act (hereinafter referred to as the Joint Exchequer Board) to represent the net cost to the Exchequer of the United Kingdom at the time of the passing of this Act of Irish services; and*
- (b) a sum of five hundred thousand pounds, diminishing in each year after the third year of payment by the sum of fifty thousand pounds until it is reduced to the sum of two hundred thousand pounds; and*
- (c) a sum equal to the proceeds as determined by the Joint Exchequer Board of any Irish taxes imposed in Ireland by the Irish Parliament under the powers given to them by this Act.*

(3) Provision shall be made by the Irish Parliament for the cost of Irish services within the meaning of this Act, and any charge on the Consolidated Fund of the United Kingdom for those services, including any charge for the benefit of the Local Taxation (Ireland) Account, or any grant or contribution out of moneys provided by the Parliament of the United Kingdom so far as made for those services shall cease, and money for loans in Ireland shall cease to be advanced either by the Public Works Loans Commissioners or out of the Local Loans Fund.

### **Powers of Irish Parliament with respect to Taxation**

15.—(1) The Irish Parliament shall have power to vary (either by way of addition, reduction, or discontinuance) any Imperial tax so far as respects the levy of that tax in Ireland, and to impose in Ireland any independent tax not being in the opinion of the Joint Exchequer Board substantially the same in character as an Imperial tax, subject to the following limitations:—

- (a) The Irish Parliament shall not have power to impose or charge a Customs duty, whether an import or an export duty, on any article unless that article is for the time being liable to a Customs duty levied as an Imperial tax; and*

# THE HOME RULE BILL

- (b) The benefit to accrue to the Irish Exchequer from any addition to any Customs duty levied as an Imperial tax (other than a Customs duty on beer or spirits), or to any duty of income tax so levied, or to any death duty so levied, shall be limited as in this Act provided; and
- (c) The power of the Irish Parliament to vary an Imperial tax shall not be exercised with respect to the stamp duties mentioned in the Second Schedule to this Act; and
- (d) The Irish Parliament shall not, in the exercise of their powers of taxation under this provision, make any variation of Customs or Excise duties the effect of which will be to cause the Customs duty on an article of a class produced, prepared, or manufactured in Ireland, to exceed the Excise duty by more than an amount reasonably sufficient to cover any expenses due to Excise restrictions;

and the power of the Irish Parliament to make laws includes a power to make laws for the purpose of giving effect to their powers of taxation under this provision.

## (2) For the purposes of this Act—

- (a) The expression “Imperial tax” means any tax charged for the time being in Ireland under the authority of the Parliament of the United Kingdom, and includes a tax which has been discontinued under the powers given by this section to the Irish Parliament, but which would have been so charged but for the discontinuance;
- (b) The expression “Irish tax” means any tax charged under the authority of the Irish Parliament either by way of an addition to an Imperial tax or as an independent tax.

## Relations between Great Britain and Ireland as respects Customs and Excise Duties

16.—(1) Any articles which are brought into Great Britain from Ireland or into Ireland from Great Britain shall be deemed to be articles exported or imported for the purposes of information to be furnished under the Customs Consolidation Act, 1876,\* and section four of the Revenue Act, 1909,† and for the purpose

\* 39 & 40 Vict. c. 36.

† 9 Edw. 7 c. 43.

## THE HOME RULE BILL

of any duty or drawback payable in the circumstances for which provision is made under this section, but not for any other purpose.

(2) Where a Customs duty is levied in one country and not in the other, or is levied in both countries but at a higher rate in the one country than in the other, duty shall be charged and drawback allowed in respect of articles being articles produced, prepared, or manufactured abroad as follows:—

(a) *The Customs duty shall be charged on any such articles brought into the one country from the other country as if they were articles imported from abroad, except that in the case of articles produced abroad but manufactured or prepared in the country from which they are sent, the Customs duty charged shall, if the drawback which would be allowed on the exportation of similar articles from the country into which the articles are brought is less than the duty payable on importation, be a duty equal to the drawback; and*

(b) A drawback shall be allowed on any such articles sent from the one country into the other equal to the drawback which would be allowed upon the exportation of the articles from the country from which they are sent.

(3) Where an Excise duty is levied in one country and not in the other, or is levied in both countries but at a higher rate in the one country than in the other, duty shall be charged and drawback allowed in respect of articles being articles produced, prepared, or manufactured in either country as follows:—

(a) *A Customs duty shall be charged on any such articles brought into the one country from the other country as if they were articles imported from abroad, equal to the amount of the Excise duty levied in the country into which they are brought; and*

(b) A drawback shall be allowed on any such articles sent from the one country into the other equal to the amount of the Excise duty levied in the country from which they are sent.

(4) The proceeds of any Customs duty charged under this section in Ireland on any articles shall to the extent to which they exceed the proceeds of the Customs or Excise duty which



# THE HOME RULE BILL

would have been charged on the article in Great Britain be deemed to be the proceeds of a Customs duty levied as an Irish tax, if the duty is charged in respect of a difference of Customs duties, and be deemed to be the proceeds of an Excise duty levied as an Irish tax if the duty is charged in respect of a difference of Excise duties, and as to the balance be deemed to be the proceeds of an Imperial tax.

(5) Nothing in this section shall affect any enactment under which articles deposited in a bonded warehouse without payment of duty may be transferred from one country to the other country.

## Supplemental Provisions as to Transferred Sum and Irish Revenue

17.—(1) The Transferred Sum shall be paid to the Irish exchequer at such times and in such manner and according to such regulations as the Joint Exchequer Board may direct.

(2) In the event of the reduction or discontinuance of any Imperial tax by the Irish Parliament, the Transferred Sum shall be reduced in each financial year by such sum as may be determined by the Joint Exchequer Board to represent the amount by which the proceeds of the tax are diminished in that year in consequence of the reduction or discontinuance.

(3) If in any financial year the proceeds of any Irish tax imposed as an addition to any Customs duty levied as an Imperial tax (other than a Customs duty on beer or spirits), or to any duty of Income Tax so levied, or to any death duty so levied, exceed *one-tenth* of the proceeds in Ireland of that duty as levied as an Imperial tax for the same period, the amount of the excess shall not be treated for the purpose of this Act as part of the proceeds of the Irish tax, and the amount payable to the Irish Exchequer in respect of the proceeds of the Irish tax shall be reduced accordingly:

Provided that—

(a) For the purposes of this provision, the proceeds of any tax shall be deemed to be the proceeds as determined by the Joint Exchequer Board: and

(b) The foregoing provision shall not apply in cases where the excess is solely due to the reduction of the rate of the Imperial tax.

# THE HOME RULE BILL

(4) *When any reserved service is transferred from the Government of the United Kingdom to the Government of Ireland, the Transferred Sum shall be increased by such sum as may be determined by the Joint Exchequer Board to represent the equivalent of any saving to the Exchequer of the United Kingdom by reason of the transfer, and in determining that equivalent regard shall be had to the prospect of any increase or decrease in the cost of that service which may be expected to arise from causes not being matters of administration.*

The sum by which the Transferred Sum is to be increased in pursuance of this provision may be fixed by the Joint Exchequer Board so as to vary during the first ten years after the transfer, but subject thereto shall be a definite sum.

## **Charge on Transferred Sum of Sums Charged on the Guarantee Fund**

**18.** The charge on the Guarantee Fund under the Irish Land Purchase Acts in respect of—

- (1) sums which, owing to the deficiency of the Irish Land Purchase Account, are paid out of the Consolidated Fund on account of the dividends and sinking fund payments of Irish guaranteed land stock under section one of the Purchase of Land (Ireland) Act, 1891\*; and
- (2) sums which, owing to the deficiency of the income of the Irish Land Purchase Fund, are paid out of the Consolidated Fund on account of the dividends on stock under section twenty-nine of the Irish Land Act, 1903†;
- (3) arrears of annual payments under subsection (4) of section thirty-six of the Irish Land Act, 1903;

shall cease, and any such sums or arrears which would under the Irish Land Purchase Acts have been made good out of the Guarantee Fund, shall be made good by means of deductions from the Transferred Sum under this Act in accordance with regulations made by the Treasury.

## **Development Fund and Road Improvement Grant**

**19.—**(1) Nothing in this Act shall affect the powers of the Development Commissioners or the Road Board with respect to Ireland under the Development and Road Improvement Funds

\* 54 & 55 Vict. c. 48.

† 3 Edw. 7. c. 37.

# THE HOME RULE BILL

Act, 1909,\* and for the purposes of that Act any Irish department shall be deemed to be a Government department within the meaning of that Act.

(2) So long as a sum equal to the net proceeds of the duties on motor spirits and the net proceeds of the duties on licences for motor cars levied in Ireland is paid as part of the road improvement grant under section ninety of the Finance (1909-10) Act, 1910,† the proceeds of those duties shall not be treated for the purposes of the financial provisions of this Act as the proceeds of an Imperial tax levied in Ireland.

## Irish Church Fund

20.—(1) The Irish Church Temporalities Fund shall belong to the Irish Government and be managed, administered, and disposed of as directed by Irish Act:

Provided that all existing charges on that fund guaranteed by the Treasury shall, if and so far as not paid, be paid out of the Exchequer of the United Kingdom, and be made good by means of deductions from the Transferred Sum under this Act in accordance with regulations made by the Treasury.

(2) The Irish Church Temporalities Fund means the fund under the control of the Land Commission by virtue of the Irish Church Act Amendment Act, 1881.‡

## Supplemental Provisions as to Irish Exchequer and Consolidated Fund

21.—(1) All sums paid into the Irish Exchequer shall form a Consolidated Fund, and be appropriated to the public service of Ireland by Irish Act, and shall not be applied for any purpose for which they are not so appropriated.

(2) Save as may be otherwise provided by Irish Act, the existing law relating to the Exchequer and Consolidated Fund of the United Kingdom shall apply with the necessary modifications to the Irish Exchequer and the Irish Consolidated Fund, and an officer shall be appointed by the Lord Lieutenant to be the Irish Comptroller and Auditor-General.

(3) Save as may be otherwise provided by Irish Act, the accounts of the Irish Consolidated Fund shall be audited as

\* 9 Edw. 7. c. 47.

† 10 Edw. 7. c. 8.

‡ 44 & 45 Vict. c. 71.

# THE HOME RULE BILL

Appropriation Accounts, in manner provided by the Exchequer and Audit Departments Act 1866,\* and any Act amending the same, by or under the direction of the Irish Comptroller and Auditor-General.

## Joint Exchequer Board

22.—(1) For the purposes of the financial provisions of this Act there shall be established a Board to be called the Joint Exchequer Board, consisting of two members appointed by the Treasury and two members appointed by the Irish Treasury and a Chairman appointed by His Majesty.

(2) It shall be the duty of the Joint Exchequer Board to determine any matter which is to be determined by the Board under this Act, and also to determine any other matter in connection with the Transferred Sum, or Irish revenue or expenditure, or the cost of any reserved service, which may be referred to them for determination by the Treasury and the Irish Treasury jointly, and the decision of the Board on any matter which is to be determined by them shall be final and conclusive.

(3) Any vacancy arising in the office of a member of the Board, owing to the death, resignation, or incapacity of any member of the Board, shall be filled by the authority by whom the member whose place is vacant was appointed.

## Charge of Irish Government Loans on Transferred Sum and Management by Joint Exchequer Board

23.—(1) If provision is made by Irish Act for securing any loan raised by the Government of Ireland upon the Transferred Sum and for the payment of such part of the Transferred Sum as in the opinion of the Joint Exchequer Board may be required for the services of the loan in each year direct to that Board, the Board may undertake on behalf of the Irish Government the issue and management of the loan and the application of the money paid to them for the services of the loan.

(2) Where provision is so made for the payment of a part of the Transferred Sum to the Joint Exchequer Board in connection with a loan the management of which is undertaken by the Board in accordance with this section, the Treasury shall cause the

\* 29 & 30 Vict. c. 39.



## THE HOME RULE BILL

requisite part of the Transferred Sum to be paid to the Joint Exchequer Board instead of to the Irish Exchequer.

(3) The accounts of the Joint Exchequer Board in respect of any sums received by them under this section in connexion with any loan shall be audited in the same manner as the accounts of the Irish Consolidated Fund are for the time being audited.

(4) Any stock or securities issued in respect of any loan raised by the Irish Government shall be deemed to be included amongst the securities in which a trustee may invest under the powers of the Trustee Act, 1893.\*

### Ascertainment of True Irish Revenue

24. In ascertaining for the purposes of this Act the proceeds in Ireland of any Imperial tax or of any Irish tax, the Joint Exchequer Board shall treat the proceeds collected in Ireland as the proceeds of the tax in Ireland, subject to such adjustments as the Board think equitable, with a view to attributing to Ireland any proceeds of taxes collected in Great Britain but properly attributable to Ireland, and to attributing to Great Britain any proceeds of taxes collected in Ireland but properly attributable to Great Britain, and with a view to meeting cases where the rate of a tax is, or other conditions affecting the charge of a tax are, different in Great Britain and Ireland.

### Alteration of Taxes to be treated as Increases or Reductions of Taxes as the case may be

25. For the purposes of this Act the withdrawal in whole or in part of an exemption from a tax shall be treated as the imposition of an addition to or as the increase of a tax, and the grant or extension of an exemption from a tax shall be treated as a reduction of a tax, and any other alteration of the provisions with respect to any tax in consequence of which the proceeds of the tax are increased or diminished shall be treated as an increase or reduction of the tax, as the case may be.

### Revision of Financial Arrangements in Certain Events

26.—(1) If it appears to the Joint Exchequer Board that during any three successive years *after the passing of this Act*, the aggregate of the total proceeds of Imperial taxes levied in Ireland as determined by the Board, and the total proceeds of Irish taxes as

\* 56 & 57 Vict. c. 53.

# THE HOME RULE BILL

so determined, together with any share in any miscellaneous revenue of the United Kingdom to which the Joint Exchequer Board may consider Ireland to be entitled, exceeded in each of those years the amount of the Transferred Sum, together with the cost of any services, the Board shall present a report to that effect to the Treasury and to the Lord Lieutenant, and the Treasury and the Lord Lieutenant shall cause a copy of the report to be laid before the Parliament of the United Kingdom and the Irish Parliament respectively.

(2) The presentation of such a report shall be taken to be a ground for the revision by the Parliament of the United Kingdom of the financial provisions of this Act, with a view to securing a proper contribution from Irish revenues towards the common expenditure of the United Kingdom and extending the powers of the Irish Parliament and the Irish Government with respect to the imposition and collection of taxes.

(3) For the purpose of revising the financial provisions of this Act in pursuance of this section, there shall be summoned to the Commons House of Parliament of the United Kingdom such number of members of the Irish House of Commons as will make the representation of Ireland in the Commons House of Parliament of the United Kingdom equivalent to the representation of Great Britain on the basis of population; and the members of the Irish House of Commons so summoned shall be deemed to be members of the Commons House of Parliament of the United Kingdom for the purpose of any such revision.

His Majesty may by Order in Council make such provision for so summoning the members of the Irish House of Commons as His Majesty may think necessary or proper, and any provisions contained in any such Order in Council shall have the same effect as if they had been enacted in this Act.

## PROVISIONS AS TO JUDICIAL POWER

### Tenure of Office by Judges

27. A judge of the Supreme Court or other superior court in Ireland, or of any county court or other court with a like jurisdiction in Ireland, appointed *after the passing of this Act*, shall be appointed by the Lord Lieutenant, and shall hold his office by the same tenure as that by which the office is held at the time of

# THE HOME RULE BILL

this Act, with the substitution of an address from both Houses of the Irish Parliament for an address from both Houses of the Parliament of the United Kingdom, and during his continuance in office his salary shall not be diminished or his right to pension altered without his consent.

## Irish Appeals

28.—(1) The appeal from courts in Ireland to the House of Lords shall cease; and where any person would, but for this Act, have a right to appeal from any court in Ireland to the House of Lords, that person shall have the like right to appeal to His Majesty the King in Council; and all enactments relating to appeals to His Majesty the King in Council, and to the Judicial Committee of the Privy Council, shall apply accordingly.

(2) When the Judicial Committee sit for hearing any appeal from a court in Ireland in pursuance of any provisions of this Act, there shall be present not less than four Lords of Appeal, within the meaning of the Appellate Jurisdiction Act, 1876,\* and at least one member who is or has been a judge of the Supreme Court in Ireland.

(3) A rota of privy councillors to sit for hearing appeals from courts in Ireland shall be made annually by His Majesty in Council, and the privy councillors, or some of them, on that rota shall sit to hear the said appeals. A casual vacancy occurring in the rota during the year may be filled by Order in Council.

(4) Nothing in this Act shall affect the jurisdiction of the House of Lords to determine the claims to Irish peerages.

## Special Provision for Decision of Constitutional Questions

29.—(1) If it appears to the Lord Lieutenant or a Secretary of State expedient in the public interest that steps shall be taken for the speedy determination of the question whether any Irish Act or any provision thereof, or any Irish Bill or any provision thereof, is beyond the powers of the Irish Parliament, he may represent the same to His Majesty in Council, and thereupon the said question shall be forthwith referred to and heard and determined by the Judicial Committee of the Privy Council, constituted as if hearing an appeal from a court in Ireland.

\* 39 & 40 Vict. c. 59.

# THE HOME RULE BILL

(2) Upon the hearing of the question such persons as seem to the Judicial Committee to be interested may be allowed to appear and be heard as parties to the case, and the decision of the Judicial Committee shall be given in like manner as if it were the decision of an appeal, the nature of the report or recommendation to His Majesty being stated in open court.

(3) Nothing in this Act shall prejudice any other power of His Majesty in Council to refer any question to the Judicial Committee or the right of any person to petition His Majesty for such reference.

## **Appeal in Cases where the Validity of an Irish Law is questioned**

**30.**—(1) Where any decision of the Court of Appeal in Ireland involves the decision of any question as to the validity of any law made by the Irish Parliament, and the decision is not otherwise subject to an appeal to His Majesty the King in Council, an appeal shall lie to His Majesty the King in Council by virtue of this section, but only by leave of the Court of Appeal or His Majesty.

(2) Where any decision of a court in Ireland involves the decision of any question as to the validity of any law made by the Irish Parliament, and the decision is not subject to any appeal to the Court of Appeal in Ireland, an appeal shall lie to the Court of Appeal in Ireland by virtue of this section.

## **LORD LIEUTENANT**

### **Office of Lord Lieutenant**

**31.**—(1) Notwithstanding anything to the contrary in any Act, every subject of His Majesty shall be qualified to hold the office of Lord Lieutenant of Ireland, without reference to his religious belief.

(2) The term of office of the Lord Lieutenant shall be six years, without prejudice to the power of His Majesty at any time to revoke the appointment.

(3) The salary and expenses of the Lord Lieutenant shall be paid out of moneys provided by the Parliament of the United Kingdom, but there shall be deducted from the Transferred Sum in each year, towards the payment of the Lord Lieutenant's salary, a sum of *five thousand pounds*.



# THE HOME RULE BILL

## PROVISIONS AS TO EXISTING JUDGES AND IRISH OFFICERS

### Provisions as to existing Judges and other Persons having Salaries charged on the Consolidated Fund

**32.**—(1) All existing judges of the Supreme Court, and county court judges, and all existing Irish officers serving in an established capacity in the civil service of the Crown and receiving salaries charged on the Consolidated Fund of the United Kingdom, shall, if at the date of *the passing of this Act* they are removeable only on address from both Houses of Parliament of the United Kingdom, continue to be removeable only upon such an address, and if removeable in any other manner shall continue to be removeable only in the same manner as before that date; and shall continue to receive the same salaries, gratuities, and pensions, and to be liable to perform the same duties as before that date or such duties as His Majesty may declare to be analogous, and their salaries and pensions shall be paid out of the Exchequer of the United Kingdom, and all sums so paid shall be made good by means of deductions from the Transferred Sum under this Act in accordance with regulations made by the Treasury.

(2) *If any of the said judges or officers retires from office with His Majesty's approbation before completion of the period of service entitling him to a pension, His Majesty may, if he thinks fit, after considering any representation that may be made by the Irish Government, grant to him such pension, not exceeding the pension to which he would on that completion have been entitled, as His Majesty thinks proper.*

(3) Subsection (1) of this section shall apply to existing Irish officers serving in an established capacity in the civil service of the Crown, who, although receiving salaries payable out of money provided by the Parliament of the United Kingdom and not charged on the Consolidated Fund, are removeable only for misconduct or incapacity.

### Continuation of Service of, and Compensation to, existing Officers

**33.**—(1) Subject to the provisions of this Act, all existing Irish officers in the civil service of the Crown who are not provided for under the last preceding section and are on the appointed day serving as Irish officers shall, after that day, continue to hold their offices by the same tenure and upon the same terms and

## THE HOME RULE BILL

conditions (including conditions as to remuneration and superannuation) as theretofore, and shall be liable to perform the same duties as theretofore, or such duties as the Civil Service Committee established under this Act may declare to be analogous, and while performing the same or analogous duties shall receive not less remuneration than they would have received if this Act had not passed :

Provided that, notwithstanding the provision hereinbefore contained as to the tenure of existing Irish officers, any existing Irish officer who at the time of *the passing of this Act* is removeable from his office by His Majesty, or by the Chief Secretary, or by any person other than the Lord Lieutenant, or in any special manner, may be removed from his office *after the passing of this Act* by the Lord Lieutenant.

(2) The Superannuation Acts, 1834 to 1909, shall continue after the appointed day to apply to any such existing Irish officer to whom they then apply, and the service of any such officer under the Irish Government shall, for the purpose of those Acts, be deemed to be service in the permanent civil service of the Crown and in the public office within the meaning of the Superannuation Act, 1892 :\*

Provided that so far as relates to the grant and ascertainment of the amount of any allowance or gratuity under those Acts as respects any such officer who at the time of his ultimate retirement is serving under the Irish Government, the Civil Service Committee shall be substituted for the Treasury.

(3) The provisions as to compensation contained in the Third Schedule to this Act shall apply with respect to any such existing Irish officer.

(4) *The superannuation and other allowances and gratuities which may become payable after the passing of this Act to existing Irish Officers in the civil service of the Crown under the Superannuation Acts, 1834 to 1909, and any compensation payable to any such officers under the provisions of this Act, shall be paid out of moneys provided by the Parliament of the United Kingdom, but any sums so paid shall be made good by means of deductions from the Transferred Sum under this Act in accordance with regulations made by the Treasury.*

\*55 & 56 Vict. c. 40.

# THE HOME RULE BILL

(5) The Pensions Commutation Acts, 1871 to 1882, shall apply to any person to whom an annual allowance is granted in pursuance of the provisions of this Act relating to existing officers as they apply to a person who has retired in consequence of the abolition of his office.

## Establishment of Civil Service Committee

**34.—**(1) For the purpose of the provisions of this Act with respect to existing officers there shall be established a committee to be called the Civil Service Committee.

(2) The committee shall consist of three members, of whom one shall be appointed by the Treasury, one by the Executive Committee, and one (who shall be chairman) by the Lord Chief Justice of England.

(3) Any vacancy arising in the committee owing to the death, resignation, or incapacity of a member of the committee shall be filled by the authority by whom the member whose place is vacant was appointed.

(4) The determination of the Civil Service Committee on any claim or question which is to be determined by them under the provisions of this Act relating to existing officers shall be final and conclusive.

## Provisions as to existing Pensions and Superannuation Allowances

**35.** *Any pension granted on account of service in Ireland as a judge of the Supreme Court or of any court consolidated into that court, or as a county court judge, or as an Irish officer in an established capacity in the civil service of the Crown, or to any officer or constable of the Dublin Metropolitan Police or Royal Irish Constabulary, and payable at the time of the passing of this Act, or in the case of an officer or constable of the Royal Irish Constabulary at the date of transfer, shall be paid out of moneys provided by the Parliament of the United Kingdom, and shall be made good by means of deductions from the Transferred Sum under this Act in accordance with regulations made by the Treasury.*

## Definition of Irish Officer, and Provision as to Officers in whose case questions may arise, &c.

**36.—**(1) For the purpose of the provisions of this Act relating to existing officers, any officer shall be deemed to be an Irish

# THE HOME RULE BILL

officer who is serving or employed in Irish services within the meaning of this Act.

(2) If any question arises whether an officer is an Irish officer as so defined, or otherwise as to any claim or right of an officer under the provisions of this Act relating to existing officers, that question shall be determined by the Civil Service Committee.

(3) If in any case the Civil Service Committee are of opinion that the service or employment of an officer is such that he is partly an Irish officer and partly not, that Committee shall determine any question which arises as respects the proportions in which any allowance, gratuity, or compensation payable to that officer is to be made as between the Exchequer or Consolidated Fund of Ireland and of the United Kingdom respectively.

## PROVISIONS AS TO MEMBERS OF POLICE

### Continuation of Service of, and Compensation to, Members of Police Forces

**37.**—(1) All officers and constables of the Dublin Metropolitan Police and of the Royal Irish Constabulary who are serving on the day of transfer shall after that day continue to serve on the same terms and conditions as theretofore, and shall be liable to perform the same duties as theretofore, and while performing those duties shall not receive less pay than they would have received if this Act had not passed.

(2) Any existing enactments relating to the pay or pensions of officers and constables of the Dublin Metropolitan Police and Royal Irish Constabulary shall continue to apply after the transfer to any officer and constable serving on the day of transfer with the substitution of the Lord Lieutenant for the Treasury and for the Chief Commissioner or Inspector-General as the case requires.

(3) The provisions as to compensation contained in the Fourth Schedule to this Act shall apply with respect to the officers and constables of the Dublin Metropolitan Police and of the Royal Irish Constabulary who are serving on the day of transfer.

(4) *Any pensions and other allowances and gratuities which may become payable to officers and constables of the Dublin Metropolitan Police after the passing of this Act, or to officers*



# THE HOME RULE BILL

*and constables of the Royal Irish Constabulary after the date of transfer (being in either case officers and constables who are serving on the day of transfer) under the existing enactments applicable to them, and any compensation payable to any of those persons under the provisions of this Act, shall be paid out of moneys provided by the Parliament of the United Kingdom; but any sums so paid shall be made good by means of deductions from the Transferred Sum under this Act in accordance with regulations made by the Treasury.*

(5) The Pensions Commutation Acts, 1871 to 1882, shall apply to any member of the Dublin Metropolitan Police or Royal Irish Constabulary to whom an allowance is granted in pursuance of the provisions of this section in like manner as if he had retired from the permanent Civil Service of the Crown on the abolition of his office, and any terminable annuity payable in respect of the commutation of an allowance shall be payable out of the same funds as the allowance.

(6) In this section and in the Fourth Schedule to this Act the expression "day of transfer" in relation to the Dublin Metropolitan Police means the appointed day, and in relation to the Royal Irish Constabulary means the day on which the control and management of that force are transferred to the Irish Government.

## GENERAL

### **Continuance of existing Laws, Institutions, &c.**

38. All existing laws, institutions, and authorities in Ireland, whether judicial, administrative, or ministerial, and all existing taxes in Ireland, shall, except as otherwise provided by this Act, continue as if this Act had not passed, but with the modifications necessary for adapting them to this Act, and subject, as respects matters within the powers of the Irish Parliament under this Act, to repeal, abolition, alteration, and adaptation in the manner and to the extent authorised by this Act.

### **Use of Crown Lands by Irish Government**

39. His Majesty the King in Council may place under the control of the Irish Government, for the purposes of that government, such of the lands, buildings, and property in Ireland vested

# THE HOME RULE BILL

in or held in trust for His Majesty, and subject to such conditions or restrictions (if any) as may seem expedient.

## **Arrangements between Departments of United Kingdom and Irish Departments for exercise of Powers and Duties**

40. Arrangements may be made by any department of the Government of the United Kingdom for the exercise and performance on behalf of that department of any powers or duties of that department by officers of an Irish department, or by any Irish department for the exercise and performance on behalf of that department of any powers or duties of that department by officers of a department of the Government of the United Kingdom on such terms and conditions as may be agreed :

Provided that no such arrangements shall diminish in any respect the responsibility of the department by which the arrangement is made.

## **Concurrent Legislation**

41.—(1) The Irish Parliament shall not have power to repeal or alter any provision of this Act (except as is specially provided by this Act), or of any Act passed by the Parliament of the United Kingdom after the passing of this Act and extending to Ireland, although that provision deals with a matter with respect to which the Irish Parliament have powers to make laws.

(2) Where any Act of the Irish Parliament deals with any matter with respect to which the Irish Parliament have power to make laws which is dealt with by any Act of the Parliament of the United Kingdom passed after the passing of this Act and extending to Ireland, the Act of the Irish Parliament shall be read subject to the Act of the Parliament of the United Kingdom, and so far as it is repugnant to that Act, but no further, shall be void :

Provided that nothing in this section shall affect the power of the Irish Parliament to vary an Imperial tax in accordance with this Act, or any variation so made.

(3) Any order, rule, or regulation made in pursuance of, or having the force of, an Act of Parliament of the United Kingdom shall be deemed to be a provision of an Act within the meaning of this section.

# THE HOME RULE BILL

## TRANSITORY

### **First Meeting of Irish Parliament and First Election of Reduced Number of Irish Members**

**42.—**(1) The Irish Parliament shall be summoned to meet on the *first Tuesday in September nineteen hundred and thirteen*, and the first election of members of the Irish House of Commons shall be held at such time before that day as may be fixed by His Majesty by Order in Council made for the purpose of the transitory provisions of this Act.

(2) Upon the first meeting of the Irish Parliament, the members returned by constituencies in Ireland to serve in the Parliament of the United Kingdom and then sitting in that Parliament shall vacate their seats, and writs shall, as soon as conveniently may be, be issued by the Lord Chancellor of Ireland for the purpose of holding an election of members to serve in the Parliament of the United Kingdom for the constituencies mentioned in the Second Part of the First Schedule to this Act.

(3) Subject to the provisions of this Act, all existing election laws relating to the Commons House of Parliament of the United Kingdom and the members thereof shall, so far as applicable, extend to the Irish House of Commons and the members thereof; but those election laws may, except as provided by this Act, be altered by Irish Act.

His Majesty may by Order in Council make such provisions as may appear to him necessary or proper for making any provisions of the election laws applicable to elections of members of the Irish House of Commons.

(4) The Lord Lieutenant shall determine by lot which of the first senators are to retire in the second, fourth, and sixth year, and the term of office of those senators shall be reduced accordingly.

### **Temporary Provision as to Payments into and out of the Irish Exchequer**

**43.—**(1) *Pending the determination of the Transferred Sum by the Joint Exchequer Board, the Treasury may make such*

# THE HOME RULE BILL

*payments on account of that sum into the Irish Exchequer as the Joint Exchequer Board may direct.*

(2) The Joint Exchequer Board may authorise the Lord Lieutenant to make such payments from the Irish Exchequer as may be necessary in order to provide for bringing this Act into operation, but no such authority shall be given after the expiration of a period of three months from the first meeting of the Irish Parliament.

## **Power to make Adaptations, &c., by Order in Council**

44.—(1) His Majesty may make Orders in Council for the purpose of the transitory provisions of this Act, and may, by any such Order, make or direct to be made such arrangements as seem necessary or proper for setting in motion the Irish Parliament and Government, and also for any other matter for which it seems to His Majesty necessary or proper to make provision for the purpose of bringing this Act into full operation or for giving full effect to the future transfer under or by virtue of this Act of a reserved service; and in particular His Majesty may by any such Order in Council—

- (a) make such adaptations of any enactments so far as they relate to Ireland as may appear to him necessary or proper in order to give effect to the provisions of this Act, and also make any adaptations of any enactments so far as they relate to England or Scotland, as may appear to him necessary or proper as a consequence of any change effected by the provisions of this Act; and
- (b) make such adaptation of any enactments as appear to him necessary or proper with respect to the execution of the reserved services, and in particular provide for the exercise or performance of any powers or duties in connection with those services by any department of the Government of the United Kingdom or officer of that Government where any such powers or duties are, under any existing Act, to be exercised or performed by any department in Ireland which will cease to exist as a department of the Government of the United Kingdom; and



## THE HOME RULE BILL

- (c) make regulations with respect to the relations of the Irish and British Post Offices, and in particular may provide for an apportionment of the capital liabilities of the Post Office between the Irish Exchequer and apportioning any receipts and expenses in respect of the Exchequer of the United Kingdom, and for foreign mails or other foreign postal services (including telegrams and telephones), between the two Post Offices, and for facilities being given in respect of postal services generally by the one Post Office to the other, especially in relation to submarine telegraphs or telegraphic communication with any place out of the United Kingdom; and
- (d) on any transfer under this Act of the public services in connection with the administration of the Old Age Pensions Acts, 1908 and 1911, make provision for securing the payment of an old age pension to any person who is entitled to the payment of such a pension at the time of the transfer, while he continues so entitled; and
- (e) on the transfer under this Act of public services in connection with Post Office Savings Banks, or Trustee Savings Banks, make provisions for giving a depositor in any transferred Post Office Savings Bank the right to repayment of any sums due to him in respect of his deposits at the time of the transfer, and for giving the trustees of any Trustee Savings Bank in Ireland the right to close their bank and to require repayment of all sums due to them from the National Debt Commissioners, and for securing to the holder of any annuity or policy of insurance granted before the date of the transfer by a Post Office or Trustee Savings Bank the payment of the annuity or of any sums due under the policy; and
- (f) make provision with respect to the transfer and apportionment of any property, rights, and liabilities in connection with Irish services; and

# THE HOME RULE BILL

- (g) provide, in cases where the same Act deals with reserved matters and with other matters, for specifying the matters dealt with by the Act which are to be treated in accordance with this Act as reserved matters.

## Orders in Council to be laid before Parliament

45.—(1) Any Order in Council made for the purpose of the transitory provisions of this Act shall be laid before both Houses of the Parliament of the United Kingdom within forty days next after it is made if Parliament is then sitting, or if not, within forty days after the commencement of the then next ensuing session; and if an address is presented to His Majesty by either of these Houses within the next subsequent forty days praying that any such Order may be annulled, His Majesty may thereupon by Order in Council annul the same, and the Order so annulled shall forthwith become void, but without prejudice to the validity of any proceedings which may in the meantime have been taken under the Order.

(2) Any Order in Council made for the purpose of the transitory provisions of this Act shall, subject to the foregoing provisions of this section, have effect as if enacted in this Act.

## Appointed Day

46. The appointed day for the purposes of this Act shall be the day for the first meeting of the Irish Parliament, or such other day not more than *six* months earlier or later, as may be fixed by Order of His Majesty in Council either generally or with reference to any particular provision of this Act, and different days may be appointed for different purposes and different provisions of this Act.

## SUPPLEMENTAL

### Definitions

47. In this Act, unless the context otherwise requires—  
The expression “existing” means existing at the passing of this Act :

# THE HOME RULE BILL

The expression "constituency" means a parliamentary constituency, or a county, borough, or university returning a member or members to serve in the Irish House of Commons as the case requires, and the expression "parliamentary constituency" means any county, borough, or university returning a member or members to serve in the Parliament of the United Kingdom :

The expression "parliamentary elector" means a person entitled to be registered as a voter at a parliamentary election :

The expression "parliamentary election" means the election of a member to serve in the Parliament of the United Kingdom :

The expression "election laws" means the laws relating to the election of members to serve in the Parliament of the United Kingdom other than those relating to the qualification of electors, and includes all the laws respecting the registration of electors, the issue and execution of writs, the creation of polling districts, the taking of the poll, the questioning of elections, corrupt and illegal practices, the oath, qualification and disqualification of members, and the vacating of seats :

The expression "tax" includes duties (other than duties of postage) and fees (other than fees which are charged in respect of any special Irish service, and the receipts from which are, in the opinion of the Joint Exchequer Board, of a character to be properly treated as appropriations in aid) :

The expression "Irish Act" means a law made by the Irish Parliament :

The expression "salary" includes remuneration, allowances, and emoluments :

The expression "pension" includes superannuation allowance, and in relation to a constable of the Royal Irish Constabulary or Dublin Metropolitan Police includes a pension or gratuity payable to the widow or children of a constable :

The expression "office" includes any place, situation, or employment, and the expression "officer" shall be construed accordingly :

# THE HOME RULE BILL

The expression "officer" in relation to the Royal Irish Constabulary includes the Inspector-General, the Deputy-Inspector-General, an Assistant-Inspector-General, the Assistant-Inspector-General-Commandant of the Depot, the Town Inspector at Belfast, a County Inspector, a surgeon, a storekeeper and barrack-master, the veterinary surgeon, and a district inspector, and in relation to the Dublin Metropolitan Police, includes the Chief Commissioner, Assistant-Commissioner, and Secretary and Accountant :

The expression "constable" in relation to the Royal Irish Constabulary includes the head-constable-major, a head-constable, sergeant, acting sergeant, and constable; and in relation to the Dublin Metropolitan Police includes every member of that force not being of higher rank than chief superintendent, and not being a member of the clerical staff only :

The expression "Royal Irish Constabulary" includes the reserve force of that body.

## Short Title

48. This Act may be cited as the Irish Government Act, 1912.



# THE HOME RULE BILL

## SCHEDULES.

### First Schedule.

#### PART I.

#### IRISH HOUSE OF COMMONS.

#### CONSTITUENCIES AND NUMBER OF MEMBERS.

##### *Boroughs.*

<i>Constituency</i>	<i>Number of Members</i>
Dublin :—	
College Green . . . . .	3
Harbour . . . . .	3
St. Stephen's Green . . . . .	2
St. Patrick's . . . . .	3
Belfast :—	
East . . . . .	5
South . . . . .	3
West . . . . .	2
North . . . . .	4
Londonderry . . . . .	2
Cork . . . . .	4
Limerick . . . . .	2
Waterford . . . . .	1
Totals (Boroughs) . . . . .	34

# THE HOME RULE BILL

*Counties*  
ULSTER

<i>Constituency</i>	<i>Number of Members</i>
Antrim County :	
North Antrim . . . . .	2
Mid Antrim . . . . .	2
East Antrim . . . . .	2
South Antrim . . . . .	2
Armagh County :	
North Armagh . . . . .	2
Mid Armagh . . . . .	1
South Armagh (including that part of Newry which is situated in Armagh County) . . . . .	1
Cavan County :	
West Cavan . . . . .	2
East Cavan . . . . .	2
Donegal County :	
North Donegal . . . . .	2
West Donegal . . . . .	2
East Donegal . . . . .	1
South Donegal . . . . .	2
Down County :	
North Down . . . . .	2
East Down . . . . .	2
West Down . . . . .	2
South Down (including that part of Newry which is situated in Down County) . . . . .	2
Fermanagh County :	
North Fermanagh . . . . .	1
South Fermanagh . . . . .	1
Londonderry County :	
North Londonderry . . . . .	2
South Londonderry . . . . .	2
Monaghan County :	
North Monaghan . . . . .	1
South Monaghan . . . . .	1
Tyrone County :	
North Tyrone . . . . .	1
Mid Tyrone . . . . .	1
East Tyrone . . . . .	1
South Tyrone . . . . .	1
Totals (Ulster Counties) . . . . .	43

# THE HOME RULE BILL

Counties—continued.

## LEINSTER

<i>Constituency</i>	<i>Number of Members</i>
Carlow County . . . . .	1
Dublin County :	
North Dublin . . . . .	3
South Dublin . . . . .	3
Kildare County :	
North Kildare . . . . .	1
South Kildare . . . . .	1
Kilkenny County :	
North Kilkenny (including the borough of Kilkenny)	2
South Kilkenny . . . . .	1
King's County :	
Birr . . . . .	1
Tullamore . . . . .	1
Longford County :	
North Longford . . . . .	1
South Longford . . . . .	1
Louth County :	
North Louth . . . . .	1
South Louth . . . . .	1
Meath County :	
North Meath . . . . .	1
South Meath . . . . .	1
Queen's County :	
Ossory . . . . .	1
Leix . . . . .	1
Westmeath County :	
North Westmeath . . . . .	1
South Westmeath . . . . .	1
Wexford County :	
North Wexford . . . . .	2
South Wexford . . . . .	2
Wicklow County :	
West Wicklow . . . . .	1
East Wicklow . . . . .	1
Totals (Leinster Counties) . . . . .	30

# THE HOME RULE BILL

Counties—continued.

## MUNSTER

Constituency	Number of Members
Clare County :	
East Clare . . . . .	2
West Clare . . . . .	2
Cork County :	
North Cork . . . . .	2
North-East Cork . . . . .	2
Mid Cork . . . . .	2
East Cork . . . . .	2
West Cork . . . . .	1
South Cork . . . . .	1
South-East Cork . . . . .	1
Kerry County :	
North Kerry . . . . .	1
West Kerry . . . . .	2
South Kerry . . . . .	1
East Kerry . . . . .	1
Limerick County :	
West Limerick . . . . .	2
East Limerick . . . . .	2
Tipperary County :	
North Tipperary . . . . .	1
Mid Tipperary . . . . .	1
South Tipperary . . . . .	1
East Tipperary . . . . .	1
Waterford County :	
West Waterford . . . . .	1
East Waterford . . . . .	1
Totals (Munster Counties) . . . . .	30



# THE HOME RULE BILL

Counties—continued.

## CONNAUGHT

<i>Constituency</i>	<i>Number of Members</i>
<b>Galway County :</b>	
Connemara . . . . .	2
North Galway . . . . .	2
East Galway . . . . .	2
South Galway (including the borough of Galway)	2
<b>Leitrim County :</b>	
North Leitrim . . . . .	1
South Leitrim . . . . .	1
<b>Mayo County :</b>	
North Mayo . . . . .	2
West Mayo . . . . .	2
East Mayo . . . . .	2
South Mayo . . . . .	2
<b>Roscommon County :</b>	
North Roscommon . . . . .	2
South Roscommon . . . . .	2
<b>Sligo County :</b>	
North Sligo . . . . .	2
South Sligo . . . . .	1
<b>Totals (Connaught Counties) . . . . .</b>	<b>25</b>

## UNIVERSITIES

<i>Constituency</i>	<i>Number of Members</i>
Dublin University . . . . .	2

TOTAL OF BOROUGH, COUNTY AND UNIVERSITY MEMBERS :—

Borough members . . . . .	34
County members . . . . .	128
University members . . . . .	2
<b>Total members . . . . .</b>	<b>164</b>

# THE HOME RULE BILL.

## PART II.

### REPRESENTATION OF IRELAND IN THE HOUSE OF COMMONS OF THE UNITED KINGDOM.

#### CONSTITUENCIES AND NUMBER OF MEMBERS.

##### *Boroughs*

<i>Constituency</i>	<i>Number of Members</i>
Dublin . . . . .	3
Belfast . . . . .	4
Cork . . . . .	1
Totals (Boroughs) . . . . .	8

##### *Counties*

##### ULSTER

Constituency	Number of Members	
Antrim	2	
Armagh (including that part of Newry which is situated in Armagh County)	1	
Cavan	1	
Donegal	}	2
Fermanagh		
Londonderry (including the borough of Londonderry)	1	
Monaghan	}	2
Tyrone		
Down (including that part of Newry which is situated in Down County)	2	
Totals (Ulster Counties)	11	

# THE HOME RULE BILL

Counties—continued.

## LEINSTER

<i>Constituency</i>	<i>Number of Members</i>
Dublin . . . . .	2
{ King's County . . . . .	}
{ Queen's County . . . . .	
{ Kildare . . . . .	}
{ Wicklow . . . . .	
{ Wexford . . . . .	}
{ Carlow . . . . .	
{ Kilkenny (including borough of Kilkenny) . . . . .	}
{ Longford . . . . .	
{ Westmeath . . . . .	}
{ Louth . . . . .	
{ Meath . . . . .	}
Tota's (Leinster Counties) . . . . .	8

## MUNSTER

<i>Constituency</i>	<i>Number of Members</i>
Clare . . . . .	1
{ East Limerick . . . . .	}
{ Borough of Limerick . . . . .	
{ Kerry . . . . .	}
{ West Limerick . . . . .	
{ Cork, South . . . . .	}
{ Cork, South-East . . . . .	
{ Waterford, West . . . . .	}
The remaining five Divisions of Cork . . . . .	
{ Tipperary, East . . . . .	}
{ Waterford, East . . . . .	
{ Borough of Waterford . . . . .	}
The remaining three Divisions of Tipperary . . . . .	
Totals (Munster Counties) . . . . .	9

# THE HOME RULE BILL

*Counties—continued.*

## CONNAUGHT

<i>Constituency</i>	<i>Number of Members</i>
Galway (including Galway Borough) . . . . .	2
{ North Mayo . . . . .	}
{ West Mayo . . . . .	
{ South Mayo . . . . .	}
{ South Roscommon . . . . .	
{ East Mayo . . . . .	}
{ Sligo . . . . .	
{ Leitrim . . . . .	}
{ North Roscommon . . . . .	
Totals (Connaught Counties) . . . . .	6

### TOTAL OF BOROUGH AND COUNTY MEMBERS :—

Borough members . . . . .	8
County members . . . . .	34
Total members . . . . .	42

## Second Schedule

### STAMP DUTIES WHICH MAY NOT BE ALTERED BY THE IRISH PARLIAMENT

Duties on the following instruments :—

Marketable securities.

Share warrants and stock certificates to bearer (including instruments to bearer on which duty is charged by virtue of subsection (2) of section four or section five or section six of the Finance Act, 1899).\*

Transfers of stocks, shares and marketable securities (including composition for duty on any such transfers).

Bills of Exchange and promissory notes.

Contract notes.

\* 62 & 63 Vict. c. 9.



# THE HOME RULE BILL

Letters of allotment, letters of renunciation, and scrip certificates.

Statements as to amount of capital of corporations or companies with limited liability, and as to amount of capital contributed by limited partner.

Statements as to amount proposed to be secured by issue of loan capital.

Mortgages to secure debenture stock.

Policies of sea insurance.

Policies of life insurance.

---

## Third Schedule

### PROVISIONS AS TO COMPENSATION OF EXISTING IRISH OFFICERS

1.—(1) If any existing Irish officer who is serving in the civil service of the Crown in an established capacity or who, though not so serving in an established capacity, devotes his whole time to the duties of his office—

- (a) retires under the conditions hereinafter defined as the statutory conditions of retirement; or
- (b) retires with the permission of the Civil Service Committee given in accordance with this Act; or
- (c) is removed from office by the Irish Government before he attains the age of sixty years for any cause other than misconduct or incapacity, or required to retire by the Irish Government before he attains that age for any cause other than as aforesaid;

he shall be entitled to receive such compensation as the Civil Service Committee may award to him in accordance with the provisions of Part I. of the Rules contained in this Schedule if he is serving in an established capacity, and in accordance with the provisions of Part II. of the Rules contained in this Schedule, if, though not serving in an established capacity, he devotes his whole time to the duties of his office.

## THE HOME RULE BILL

(2) If any existing Irish officer who is serving in the civil service of the Crown not being an officer who is serving in an established capacity, or an officer who, though not serving in an established capacity, devotes his whole time to the duties of his office, is removed from office or required to retire by the Irish Government for any cause other than misconduct or incapacity, he shall be entitled to receive such compensation as the Civil Service Committee may award to him in accordance with the provisions of Part II. of the Rules contained in this Schedule.

2. For the purposes of this Act, the statutory conditions of retirement are that—

- (a) Retirement must take place within a period of five years from the passing of this Act (in this Schedule referred to as the transitional period);
- (b) Notice of the intention to retire must be given in the prescribed manner;
- (c) The retirement must not take place until at least six months after the notice of retirement has been given, and may be postponed by the Civil Service Committee, if they think fit, to any later date within the transitional period; and
- (d) The retiring officer must show to the satisfaction of the Civil Service Committee that he is not incapacitated by mental or bodily infirmity for the performance of his duties and that he will not be liable under the existing rules as to age to retire before the end of the transitional period.

3. The Civil Service Committee shall not give their permission under this Act to an officer to retire unless that officer shows to the satisfaction of the Committee—

- (a) that the duties which he is required to perform are neither the same as nor analogous to the duties theretofore performed by him, or are an unreasonable addition to those duties; or

# THE HOME RULE BILL

- (b) that his remuneration has been reduced on the ground that his duties have been diminished.

4.—(1) For the purpose of the provisions of this Act as to existing officers, petty sessions clerks and officers in the Registry of Petty Sessions Clerks shall be deemed to be officers in the civil service of the Crown, and in the case of officers in the Registry of Petty Sessions Clerks to be officers serving in an established capacity, but any payments to any such officer on account of compensation payable under the provisions of this Act shall, instead of being made out of moneys provided by the Parliament of the United Kingdom, be made out of the Petty Sessions Clerks Fund :

Provided that if the amount of the Petty Sessions Clerks Fund is at any time by reason of the provisions of this Act insufficient to meet any payments charged on it under this or any other Act, the deficiency shall be charged on and paid out of the Irish Consolidated Fund, and made good to the Irish Consolidated Fund out of the Petty Sessions Clerks Fund as the state of that fund allows.

This provision shall apply to the pensionable assistants of the petty sessions clerks at Cork and Belfast as it applies to the petty sessions clerks.

## RULES.—PART I

### OFFICERS SERVING IN THE CIVIL SERVICE OF THE CROWN IN AN ESTABLISHED CAPACITY

#### A.—On Retirement under the Statutory Conditions of Retirement

1. The compensation which may be awarded to the officer shall be an annual allowance, not exceeding in any case two-thirds of the salary on which the allowance is reckoned, or, if he has completed less than ten years of service as reckoned for the purposes of this provision, a gratuity.

2. The annual allowance or gratuity shall be calculated in like manner as the superannuation allowance or gratuity which the officer would be qualified to receive under the Superannuation Acts, 1834 to 1909, if he retired on the ground of ill-health, save that for the purposes of that calculation, the following provisions shall have effect, that is to say:—

# THE HOME RULE BILL

(a) His years of service shall be reckoned as if he had served up to the end of the transitional period, and there shall be added any additional years which he may be entitled to reckon under section four of the Superannuation Act, 1859 :

(b) His salary, where there are periodical increments, shall be taken at the amount which it would have reached if he had continued to serve in the same office up to the end of the transitional period.

**B.—On Retirement with the permission of the Civil Service Committee under this Act or on being removed from office or required to retire by the Irish Government before attaining the age of sixty years for any cause other than misconduct or incapacity**

1. The compensation which may be awarded to the officer shall be an annual allowance not exceeding in any case two-thirds of the salary on which the allowance is reckoned.

2. The annual allowance shall be calculated in like manner as the superannuation allowance which the officer would be qualified to receive under the Superannuation Acts, 1834 to 1909, if he retired on the ground of ill-health, save that for the purposes of such calculation, the following provisions shall have effect, that is to say :—

(a) Where the officer retires or is removed after the end of the transitional period, ten years shall be added as abolition years to the years of service which he would be entitled to reckon for the purposes of such superannuation allowance :

(b) Where the officer retires or is removed during the transitional period his years of service shall be reckoned, and the amount of his salary shall be computed in the same manner as is provided in this Part of these Rules in the case of an officer retiring under the statutory conditions of retirement, and ten years shall be added as abolition years to the years of service so reckoned :



## THE HOME RULE BILL

- (c) Where the officer has been permitted by the Civil Service Committee to retire on account of reduction of salary, his salary shall be taken at its amount prior to the reduction :

Provided that—

- (i) Where an officer at the time of leaving the service has attained the age of thirty years but has not attained the age of thirty-six years, the abolition years to be added for the purpose of this article shall be seven years instead of ten, and where an officer at the time of leaving the service has not attained the age of thirty years, or where, whatever his age, his years of service as reckoned for the purposes of this article, exclusive of the abolition years, are less than ten, the abolition years to be added for those purposes shall be five years instead of ten; and
- (ii) No abolition years shall be added in excess of the difference between the age of an officer at the time of his leaving the service and the age at which he would be liable to leave the service under the existing rules as to age.

### **C.—Officers to whom the Superannuation Act, 1909, applies**

1. An officer to whom the Superannuation Act, 1909, applies by reason only of his having elected to adopt the provisions of that Act shall, if he so requires, be treated for the purpose of the determination of his compensation under this Schedule as if he had not so elected.

2. As respects any such officer who does not require his compensation to be determined as aforesaid, and any other officer to whom the Superannuation Act, 1909, applies, the provisions contained in Heads A. and B. of this Part of these Rules shall have effect subject to the following modifications, that is to say:—

- (a) The annual allowance or gratuity awarded to the officer shall be calculated on the proportion of salary prescribed

# THE HOME RULE BILL

by sub-section (1) of section one of the Superannuation Act, 1909, instead of the proportion prescribed by section two of the Superannuation Act, 1859, and the annual allowance which may be awarded to the officer shall not in any case exceed one-half of the salary on which the allowance is calculated :

- (b) In addition to the annual allowance or gratuity there may be awarded to the officer an additional allowance calculated in like manner as an additional allowance under the Superannuation Act, 1909, and for the purposes of that calculation his years of service and salary shall be reckoned and computed as in the case of his annual allowance or gratuity, but the additional allowance so awarded shall not exceed one and a half times the amount of the salary on which the allowance is calculated, except in the case of an officer to whom the Superannuation Act, 1909, applies by reason of his having elected to adopt its provisions, and then only to the extent specified in section three of that Act.

## RULES.—PART II

### OFFICERS SERVING IN THE CIVIL SERVICE OF THE CROWN WHO ARE NOT SERVING IN AN ESTABLISHED CAPACITY

1. The compensation which may be awarded to the officer shall be such gratuity or annual allowance (if any) as the Civil Service Committee think just having regard to the following considerations, that is to say :—

- (a) The conditions on which the officer was appointed;
- (b) The nature and duration of his employment;
- (c) In the case of officers who do not devote their whole time to the duties of their office, the amount of time so devoted;
- (d) The circumstances in which he is leaving the service;
- (e) The compensation which might have been awarded to him on leaving the service in similar circumstances if Part I. of these Rules had applied to him;

# THE HOME RULE BILL

- (f) Any offer made to him of another office or employment under the Irish Government;
- (g) The probability (if any) of his having continued in office for a longer period but for the passing of this Act; and
- (h) Any other circumstances affecting his case.

2. The compensation shall in every case be less than the compensation which might under Part I. of these Rules have been awarded to the officer on leaving the service in similar circumstances if that Part of these Rules had applied to him.

---

## Fourth Schedule

### PROVISIONS AS TO COMPENSATION OF MEMBERS OF THE ROYAL IRISH CONSTABULARY AND DUBLIN METROPOLITAN POLICE

Any officer or constable who after the day of transfer is required to retire for any cause other than misconduct, and is not incapacitated for the performance of his duty by mental or bodily infirmity, shall, unless he is qualified for the maximum pension that can be granted to him for length of service only under the enactments aforesaid, be entitled to receive such compensation as may be awarded to him by the Lord Lieutenant in accordance with the Rules contained in this Schedule.

### RULES

1. The compensation which may be awarded to an officer or constable shall be an annual allowance.
2. The annual allowance shall be calculated in like manner as the pension which the officer or constable would have been entitled to receive under the enactments applicable to him if he had retired voluntarily and had been qualified in respect of his length of service for a pension, save that for the purposes of that calculation the following provisions shall have effect:—

- (a) there shall be added to his completed years of actual service, if the proportion of salary on which his allowance is

## THE HOME RULE BILL

calculated is one-fiftieth, ten years, and if that proportion is one-sixtieth, twelve years, but any such addition of years shall not affect the amount of salary in respect of which his annual allowance is to be calculated; and

- (b) if he has, in addition to his completed years of actual service, served for a period exceeding six months, his service for that period shall be reckoned as a completed year of actual service.

3. The allowance awarded to an officer or constable shall in no case exceed the maximum pension which could under the enactments applicable to him have been awarded to him if he had retired for length of service only.

4. In the event of a constable dying within one year after an annual allowance has been awarded to him under this Schedule, the Lord Lieutenant may, if he thinks fit, grant an annuity to the widow or children of the constable in like manner as if the allowance were a pension granted to the constable on retirement.





# PARLIAMENTARY WHITE PAPER

## GOVERNMENT OF IRELAND BILL

### Outline of Financial Provisions

#### Present Irish Revenue and Expenditure

It is estimated that the revenue to be derived from Ireland in the year 1912-13 will be as follows:—

	£
Customs .. .. .	3,230,000
Excise .. .. .	3,320,000
Income Tax .. .. .	1,512,000
Estate Duties .. .. .	939,000
Stamps .. .. .	347,000
Miscellaneous .. .. .	137,000
Post Office .. .. .	1,354,000
Total .. .. .	10,839,000

It is estimated that the expenditure for Irish purposes in the year 1912-13 will amount to £12,354,000. The expenditure may be divided for the purposes of this Memorandum as follows:—

	£
All purposes not separately specified .. .. .	5,462,000
Post Office .. .. .	1,600,000
Old Age Pensions .. .. .	2,664,000
Charges under the Land Purchase Acts .. .. .	761,000
National Insurance and Labour Exchanges .. .. .	191,500
Royal Irish Constabulary .. .. .	1,377,500
Collection of revenue .. .. .	298,000
Total .. .. .	12,354,000

The expenditure therefore exceeds the revenue by £1,515,000.

It is anticipated that in a period of ten or fifteen years the charges under the existing Land Purchase Acts will increase by

# THE HOME RULE BILL

£450,000, and under the National Insurance Act by £300,000. On the other hand, it is estimated that within twenty years the cost of Old Age Pensions will decrease by £200,000.

## **Charges upon the Irish Exchequer**

The Bill provides for the establishment of an Irish Exchequer and an Irish Consolidated Fund.

From the Irish Exchequer will be defrayed the whole of the present and future cost of Irish government, with the exception of the expenditure on certain services, termed in the Bill Reserved Services

## **Charges upon the Imperial Exchequer**

The Imperial Government will retain the control, and the Imperial Exchequer will continue to bear the cost, of the Reserved Services, namely, Old Age Pensions, National Insurance, Labour Exchanges, Land Purchase, and Collection of Taxes. For a period of six years the Royal Irish Constabulary will also be one of the Reserved Services.

There are provisions for the transfer to the Irish Government of certain of the Reserved Services under the conditions stated below.

## **Revenue of the Irish Exchequer**

The Bill provides, in the first instance, for the period during which the yield of Irish taxes is less than the cost of Irish administration, and contemplates certain modifications after a financial equilibrium has been attained.

During that period the revenue of the Irish Exchequer will consist of a sum transferred annually from the Imperial Exchequer, and termed in the Bill the Transferred Sum, together with the receipts of the Irish Post Office.

The Transferred Sum will be fixed at the outset at such amount as will cover, with the addition of the Post Office revenue, the present expenditure on Irish Government, with the exception of the cost of the Reserved Services. Included in the Transferred Sum will also be a specified sum as surplus. The amount of this

# THE HOME RULE BILL

surplus will be £500,000 annually for a period of three years, then diminishing by £50,000 a year for six years till it reaches £200,000, at which sum it will remain.

Subject to this variation in the amount of the surplus and to certain minor variations specified in the Bill, and subject also to any changes consequent upon the exercise by the Irish Parliament of the powers of increasing or reducing taxation which are defined below, the amount of the Transferred Sum, fixed in the first year after the passing of the Act, will remain the same until an equilibrium is reached between the total revenue derived from Ireland and the total expenditure on Irish purposes.

## Revenue of the Imperial Exchequer from Ireland

The Bill provides that until such equilibrium is established the whole of the proceeds of all Irish taxes shall be collected by the Treasury of the United Kingdom and be paid into the Imperial Exchequer. (This provision does not apply to Post Office revenue.)

The revenue so collected should be sufficient to cover the Transferred Sum and to provide a balance sufficient to defray a part of the cost of the Reserved Services. As the revenue from Ireland increases in the future, the receipts of the Imperial Exchequer will increase proportionately, and the yearly deficit which will fall at the outset upon the Imperial Exchequer will gradually be lessened and ultimately disappear.

## Joint Exchequer Board

The Bill establishes a Joint Exchequer Board of Great Britain and Ireland, consisting of two members appointed by the Imperial Treasury and two by the Irish Treasury, with a Chairman appointed by His Majesty the King.

The duty of the Board will be to determine certain questions of fact arising from time to time under the financial provisions of the Bill.

The figures given in this Paper are estimates only, and do not purport to be final. The Bill, therefore, does not rest upon these figures, but enables fuller returns to be obtained after the passing of the Act, and it provides that the amounts of Irish Revenue and



# THE HOME RULE BILL

Expenditure for the purposes of the Act shall be, not the figures given in this Paper, but such sums as may be determined after the passing of the Act, upon the basis of these fuller returns and of the more accurate figures of Revenue and Expenditure which will then be available, by the Joint Exchequer Board.

## Revenue and Expenditure Accounts

If, however, the estimates given above are assumed, for purposes of illustration, to be the figures finally determined, the Irish Government's Budget in the first year would balance as follows:—

---

	<i>Revenue.</i>					£
Transferred sum ..	..	..	..	..	..	6,127,000
Post Office ..	..	..	..	..	..	1,354,000
Fee Stamps ..	..	..	..	..	..	81,000
						<hr/>
Total ..	..	..	..	..	..	7,562,000

---

	<i>Expenditure.</i>					£
All purposes not separately specified ..	..	..	..	..	..	5,462,000
Post Office ..	..	..	..	..	..	1,600,000
						<hr/>
						7,062,000
Surplus ..	..	..	..	..	..	500,000*
						<hr/>
Total ..	..	..	..	..	..	7,562,000

---

The Imperial Government's receipts and expenditure on Irish account would balance as follows:—

---

	<i>Revenue.</i>					£
Irish Revenue (excluding Post Office and fee stamps) ..	..	..	..	..	..	9,404,000
Deficit ..	..	..	..	..	..	2,015,000
						<hr/>
Total ..	..	..	..	..	..	11,419,000

---

\* Subject to subsequent reduction as stated above.

# THE HOME RULE BILL

<i>Expenditure.</i>						£
Transferred sum ..	..	..	..	..	..	6,127,000
Old Age Pensions ..	..	..	..	..	..	2,664,000
National Insurance and Labour Exchanges ..						191,500
Land Purchase						
(1.) Land Commission ..	..	..	..	..	..	592,000
(2.) Other Charges ..	..	..	..	..	..	169,000
Constabulary ..	..	..	..	..	..	1,377,500
Collection of Revenue ..	..	..	..	..	..	298,000
						<hr/>
Total ..	..	..	..	..	..	11,419,000

## Powers of Varying Taxation

The Bill confers on the Irish Parliament the following financial powers:—

1. It may add to the rates of Excise Duties, Customs Duties on beer and spirits, Stamp Duties (with certain exceptions), Land Taxes, or Miscellaneous Taxes, imposed by the Imperial Parliament.

2. It may add to an extent not exceeding 10 per cent. to the Income Tax, Death Duties, or Customs Duties other than the duties on beer and spirits, imposed by the Imperial Parliament.

3. It may levy any new taxes, other than new Customs Duties.

4. It may reduce any tax levied in Ireland, with the exception of certain Stamp Duties.

The Imperial Treasury will collect the revenue arising from any increases in taxation enacted by the Irish Parliament in the exercise of these powers; and an addition will be made to the Transferred Sum of such amount as the Joint Exchequer Board may determine to be the produce of the additional taxation. Similarly, if taxation is reduced by the Irish Parliament, a deduction will be made from the Transferred Sum corresponding to the loss of revenue due to the repeal of a tax or to collection at the lower rates.

The Irish Exchequer will therefore gain or lose by any increase or decrease in taxation enacted by the Irish Parliament, and the

# THE HOME RULE BILL

net revenue of the Imperial Exchequer will remain unaffected by such changes.

If Excise or Customs Duties are imposed at different rates in Great Britain and Ireland respectively, provision is made for the adjustment of the taxes paid in respect of articles passing from one country to the other.

As administrative difficulties might arise in certain cases if the 10 per cent. limitation mentioned above were in terms to prohibit additions to the taxes in question to an extent of more than 10 per cent. of the rates of tax, the Bill effects the object in view by enacting that only such proceeds of the tax as do not exceed 10 per cent. of the yield of the Imperial tax shall be transferred to the Irish Exchequer.

The Bill makes no specific reference to the powers of the Imperial Parliament to levy taxation in Ireland. The provision in Clause 1 that the supreme power and authority of the Parliament of the United Kingdom shall remain unaffected retains the existing powers of the Imperial Parliament in this regard.

## **Transfer of the Reserved Services to the Irish Government**

After six years, the control of the Royal Irish Constabulary will pass to the Irish Executive. The Irish Parliament is empowered to assume at any time, with twelve months' notice, legislative and executive control with respect to Old Age Pensions, to National Health Insurance, or to Unemployment Insurance, together with Labour Exchanges. When any such transfer of Reserved Services is effected, the financial burden will be assumed by the Irish Exchequer, and an addition will be made to the Transferred Sum corresponding to the financial relief given to the Imperial Exchequer.

## **Loans and Capital Liabilities**

Loans made for the purposes of land purchase and loans made before the passing of the Act for other Irish purposes will be among the Reserved Services, and the payment of interest and sinking fund charges will be made by the Imperial Exchequer.

New loans may be raised by the Irish Parliament on the security of the Irish revenue. Provision is also made for enabling

## THE HOME RULE BILL

the joint Exchequer Board, if so authorised by the Irish Parliament, to issue the loans and to meet the interest and sinking fund charges by means of deductions from the Transferred Sum.

The Bill provides for the apportionment between the two Exchequers of liability for existing loans raised for Irish services.

### **Readjustment when Financial Equilibrium is reached**

When the total revenue received from Ireland by the Imperial Treasury has been sufficient, during three consecutive years, to meet the total charges for Irish purposes, the Exchequer Board shall report the fact with a view to a revision of the financial arrangements. Since it is impossible now to foresee what services may remain at that time as Reserved Services, what loans may have been contracted during the intervening years, and what changes may have been made in the rates of taxation, the Bill does not attempt to enact the modifications which may then be desirable.

It contemplates, however, as part of the present financial settlement, that Parliament will then consider, on the one hand, the fixing of such contribution by Ireland to the common expenses of the United Kingdom as may be equitable, and, on the other hand, the transfer to the Irish Legislature and Government of the control and collection of such taxes as may be deemed advisable.



# APPENDIX (A). ESTIMATE of Irish Revenue based on the Budget Estimates for 1912-13.

REVENUE										
As Collected					As Contributed					
In England	In Scotland	In Ireland	from other sources	Total	By England	By Scotland	By Ireland	from other sources	Total.	
£	£	£	£	£	£	£	£	£		
Customs ..	28,183,000	2,680,000	3,040,000	33,900,000	27,170,000	3,500,000	3,230,000	..	33,900,000	
Excise ..	23,420,000	8,600,000	5,590,000	37,610,000	29,330,000	5,050,000	3,320,000	..	37,700,000	
Estate, etc., duties	21,778,000	2,733,000	939,000	25,450,000	21,482,000	2,716,000	939,000	313,000	25,450,000	
Stamps ..	8,488,000	592,000	320,000	9,400,000	8,386,000	631,000	347,000	36,000	9,400,000	
Land Tax..	670,000	30,000	..	700,000	670,000	30,000	..	..	700,000	
House Duty	1,877,000	123,000	..	2,000,000	1,877,000	123,000	..	..	2,000,000	
Income Tax	39,531,000	3,352,000	1,217,000	44,100,000	38,204,000	3,925,000	1,512,000	459,000	44,100,000	
Land Value Duties	462,000	82,000	1,000	545,000	462,000	82,000	1,000	..	545,000	
Total Revenue	124,406,000	18,282,000	11,107,000	153,795,000	127,581,000	16,057,000	9,349,000	808,000	153,795,000	
from Taxes										
Postal Service ..	17,359,000	1,909,000	1,007,000	20,275,000	17,359,000	1,909,000	1,007,000	..	20,275,000	
Telegraph Service	2,536,000	290,000	174,000	3,000,000	2,536,000	290,000	174,000	..	3,000,000	
Telephone Service	5,056,000	671,000	173,000	5,900,000	5,056,000	671,000	173,000	..	5,900,000	
Crown Lands ..	£ 490,000	26,000	24,000	540,000	490,000	26,000	24,000	..	540,000	
Receipts from Suez										
Canal Shares and sundry loans ..	..	..	..	1,289,000	..	..	..	1,289,000	1,289,000	
Miscellaneous ..	857,000	75,000	112,000	1,356,000	857,000	75,000	112,000	1,356,000	2,400,000	
Total Non-Tax Revenue	26,298,000	2,971,000	1,490,000	33,404,000	26,298,000	2,971,000	1,490,000	2,645,000	33,404,000	
Aggregate Revenue	150,704,000	21,253,000	12,597,000	187,199,000	153,879,000	19,028,000	10,839,000	3,453,000	187,199,000	
Per cent. ..	80.51	11.35	6.73	100.00	82.20	10.17	5.79	1.84	100.00	

## APPENDIX (B).

### ESTIMATED Expenditure on Irish Services (other than Reserved Services) in 1912-13.

Consolidated Fund . . . . .	127,500
Payments to Local Taxation Accounts . . . . .	1,461,500
Voted Services—	
<i>Class I. (Public Works and Buildings)—</i>	
Surveys . . . . .	£82,000
Rates on Government property . . . . .	61,000
Public Works and Buildings . . . . .	250,500
Railways . . . . .	48,500
Other Services . . . . .	1,000
	<hr/> 443,000
<i>Class II. (Salaries and Expenses of Civil Departments)—</i>	
Department of Agriculture, etc. . . . .	136,500
Congested Districts Board . . . . .	169,500
Local Government Board . . . . .	111,500
Public Works Office . . . . .	47,000
Valuation, etc., Survey . . . . .	42,000
Stationery and Printing . . . . .	54,000
Other Services . . . . .	83,000
	<hr/> 643,500
<i>Class III. (Law and Justice)—</i>	
Law Charges, etc. . . . .	65,500
Supreme Court, etc. . . . .	113,000
County Court Officers . . . . .	111,000
Dublin Metropolitan Police . . . . .	96,500
Prisons . . . . .	112,000
Reformatory and Industrial Schools . . . . .	112,000
Other Services . . . . .	32,000
	<hr/> 642,000
<i>Class IV. (Education, Science and Art)—</i>	
Public Education . . . . .	1,734,500
Science and Art . . . . .	138,500
Universities and Colleges . . . . .	130,000
Other Services . . . . .	6,500
	<hr/> 2,009,500
<i>Class VI. (Non-effective and Charitable Services)—</i>	
Superannuation . . . . .	82,000
Other Services . . . . .	17,000
	<hr/> 99,000
<i>Class VII. (Miscellaneous)—</i>	
Sundry Services . . . . .	36,000
	<hr/> 3,873,000
Post Office . . . . .	5,462,000
	<hr/> 1,600,000
	<hr/> 7,062,000
	<hr/>

# APPENDIX (C).

STATEMENT showing for each Tenth Financial Year from 1839-1840 to 1889-1890, and for each Financial Year from 1893-1894 onwards, the Estimated True Revenue for Ireland, the Local Expenditure (Exchequer Issues), and the Balance available for Imperial Expenditure.

Year	Estimated True Revenue			Local Expenditure (Exchequer Issues)			Balance available for Imperial Expenditure		
	Total	Per cent. of United Kingdom	Per head	Total	Per cent. of United Kingdom	Per head	Total	Per cent. of United Kingdom	Per head
	£	Per cent.	£ s. d. Of population at nearest census.	£	Per cent.	£ s. d. Of population at nearest census.	£	Per cent.	£ s. d. Of population at nearest census.
1839-40...	5,416,000	10.47	0 13 3	1,789,500	28.57	0 4 5	3,626,500	7.98	0 8 10
1849-50...	4,861,500	8.55	0 14 9	2,247,500	27.74	0 6 10	2,614,000	5.37	0 7 11
1859-60...	7,700,000	11.15	1 6 7	2,304,000	21.25	0 7 11	5,396,000	9.26	0 18 8
1869-70...	7,426,000	10.17	1 7 5	2,938,000	22.31	0 10 10	4,488,000	7.50	0 16 7
1879-80...	7,281,000	9.45	1 8 2	4,055,000	19.09	0 15 8	3,226,000	5.78	0 12 6
1889-90...	7,735,000	8.34	1 12 11	5,058,000	17.24	1 1 6	2,677,000	4.22	0 11 5

	Of estimated population at middle of year.	Of estimated population at middle of year.	Of estimated population at middle of year.	Of estimated population at middle of year.	Of estimated population at middle of year.
1893-94..	7,569,000	7.81	1 12 10	5,602,000	15.47
1894-95..	7,690,000	7.68	1 13 6	5,616,000	15.26
1895-96..	8,035,000	7.45	1 15 3	5,939,000	15.53
1896-97..	8,146,000	7.40	1 15 10	5,970,000	15.00
1897-98..	8,114,500	7.11	1 15 10	6,134,500	14.39
1898-99..	8,202,000	7.01	1 16 4	6,477,000	14.69
1899-00..	8,664,500	6.88	1 18 5	6,980,000	15.12
1900-01..	9,505,000	6.90	2 2 7	7,306,000	15.53
1901-02..	9,784,000	6.55	2 4 0	7,214,000	14.96
1902-03..	10,205,500	6.52	2 6 1	7,353,000	14.85
1903-04..	9,748,500	6.63	2 4 2	7,548,000	14.58
1904-05..	9,753,500	6.52	2 4 4	7,567,000	14.19
1905-06..	9,447,000	6.33	2 3 0	7,635,500	13.92
1906-07..	9,490,000	6.28	2 3 3	7,678,500	13.57
1907-08..	9,621,000	6.29	2 3 11	7,810,000	13.43
1908-09..	9,250,500	6.23	2 2 5	8,667,500	14.45
1909-10* }	9,960,500	6.03	2 5 7	11,028,500	15.85
1910-11* }					
1911-12† ..	10,715,000	5.93	2 9 0	11,545,500	15.29
1912-13† ..	10,839,000	5.90	2 9 6	12,354,000	14.79
Ave.					

\* Owing to the delay in passing the Finance Bill of 1909, and the consequent postponement until 1910-11 of the collection of a large amount of Revenue proper to 1909-10, the figures for either of the two years, taken separately, afford a very misleading index to the relation between Revenue and Expenditure. The figures shown are the average figures for the two years 1909-10 and 1910-11. On the basis of the Revenue actually collected in 1909-10 the true Revenue was £8,355,000, the corresponding figure for 1910-11 being £11,566,500. The Exchequer Issues were, in 1909-10, £10,712,500, and in 1910-11, £11,344,500.

† The figures for 1911-12 are approximate.

‡ These figures are based on the Budget Estimate.

|| Deficit.





## APPENDIX



## APPENDIX

### The Home Rule Bills of 1886 and 1893 Compared and Explained.

BY ERSKINE CHILDERS.

---

#### Comparative Table, showing the principal provisions of the two Bills.

---

##### HOME RULE BILL OF 1886.

##### HOME RULE BILL OF 1893.

##### THE IRISH LEGISLATURE.

To consist of the Crown and *Two Orders*, sitting together and, unless either Order demands a separate vote, voting together.

(1) *First Order*, to consist of (a) 75 members elected on a £25 franchise from a new set of constituencies. Term of Office ten years. (b) 28 Peerage members, to give place by degrees to elective members as in (a).

(2) *Second Order*, 204 members elected as at present. Two from each constituency (with an alteration in the case of Cork.)

Dissolution at least every five years.

To consist of the Crown and *Two Houses*, sitting separately.

(1) *Council*, of 48 Councillors elected on a £20 franchise from a new set of constituencies. Term of office eight years.

(2) *Assembly* of 103 members elected as at present.

Dissolution at least every five years.

*Money Bills* and votes to originate in the Assembly.

##### DISAGREEMENT BETWEEN ORDERS OF HOUSES.

After three years or a dissolution question to be decided by joint vote.

G\*

After two years or a dissolution question to be decided by joint vote in joint session.



# APPENDIX

## HOME RULE BILL OF 1886.      HOME RULE BILL OF 1893. RESTRICTIONS ON IRISH LEGISLATURE.

### (1) *Imperial Matters.*

#### NO POWER TO MAKE LAWS ABOUT:—

The Crown, War or Peace, Army or Navy, Treaties, Titles, Treason, Naturalisation, Trade or Navigation, Lighthouses, &c., Coinage, Copyright, Patents, Post Office (except within Ireland).

*Nor* with:—the Lord Lieutenant, conduct as Neutrals, Volunteers, Extradition, Trade-marks, nor (for six years) Post Office in or out of Ireland.

But Trade *within Ireland* and *inland* Navigation conceded to Ireland.

### (2) *Irish Matters.*

#### NO POWER TO MAKE LAWS FOR THE PURPOSE OF:—

(1) *Establishing or endowing any religion* or imposing disabilities or conferring privileges on account of *religion*, or affecting the undenominational constitution of National schools, &c.

(2) Impairing rights or property of corporations, without address from both Orders and consent of Crown.

(1) Ditto, ditto, but more explicit and far-reaching.

(2) Ditto, ditto, or “without due process of law” and compensation.

(3) Depriving anyone of *life, liberty, or property* without due process of law in accordance with settled precedents, or denying *equal protection of laws*, or taking property without *just compensation*.

(4) Imposing disabilities or conferring privileges on account of *birth, parentage, or place of business*.

(5) (*For three years*) respecting relations of *landlord and tenant* or the purchase and letting of *land* generally.

## APPENDIX

### HOME RULE BILL OF 1886.      HOME BILL OF 1893. IRISH REPRESENTATION IN IMPERIAL PARLIAMENT.

To cease altogether (except in the case of a proposed alteration of the Home Rule Act).

Ireland to send 80 members to Westminster (instead of 103).  
Peers as before.

### EXECUTIVE AUTHORITY,

The Crown, as represented by the Lord Lieutenant, acting in Irish affairs with the advice of an Irish Cabinet responsible to the Irish Legislature.

### POWER OF VETO ON IRISH LEGISLATION.

To be held by Lord Lieutenant (acting normally on the advice of Irish Cabinet?) but subject to instructions from Imperial Government.

To be held by Lord Lieutenant, *acting on advice of Irish Cabinet*, but subject to instructions from Imperial Government.

### FINANCE.

#### (a) *Taxation.*

*Customs and Excise* still to be levied by Imperial Parliament and collected by Imperial officers. All other Taxes to be under Irish control.

(1) *For six years* all existing Taxes to continue to be imposed by Imperial Parliament and collected by Imperial officers.

Ireland to have power to impose additional taxes of her own.

(2) *After six years*, Customs and Excise to remain Imperial taxes; all others to be under Irish control. But Excise to be collected, though not levied, by Ireland.

## APPENDIX

### HOME RULE BILL OF 1886.

### HOME RULE BILL OF 1893.

#### *(b) Ireland's Revenue.*

*Gross* revenue collected in Ireland from Imperial and Irish taxes and Crown Lands, etc.; *plus* an Imperial grant towards the cost of Irish Police. (Total cost at that time £1,500,000: Ireland to pay a million, Treasury any surplus over a million, until cost reduced to that point.)

(1) *True* Irish revenue from Imperial taxes (*i.e.*, with allowance made for duties collected in Ireland on articles consumed in Great Britain, and *vice versa*).

(2) Revenue from Irish taxes and Crown Lands.

(3) Imperial grant of one-third of annual cost of Irish Police (equal in first year to £486,000).

#### *(c) Ireland's Contribution to Imperial Exchequer.*

(1) *For thirty years* Ireland to pay fixed annual maximum sums, representing Ireland's share of (a) Army, Navy, Civil List, &c., (b) National Debt. Payments not to be increased, but might be diminished. Share for Army, Navy, &c., never to exceed one-fifteenth of total cost. Total payments under these heads for first year £3,242,000.

(2) *After thirty years* contribution to be revisable.

(1) *For six years*, Ireland to pay *one-third of the true revenue raised in Ireland from Imperial taxes and Crown Lands*. (Estimated share for first year £2,276,000 or about 1-28th of total Imperial expenditure.)

(2) *After six years*, both method and amount of Ireland's contribution to be revised and settled afresh.

#### *(d) Contribution to Special War Taxes.*

Optional to Ireland.

For six years compulsory on Ireland to pay her proportional share of any such tax levied.

#### *(e) Post Office.*

To be taken over by Ireland under Irish Act.

For six years to remain under Imperial control. Profit or loss on Irish posts to be credited to or debited against Ireland.

## APPENDIX

### HOME RULE BILL OF 1886.      HOME RULE BILL OF 1893.

#### POLICE.

Dublin Police to be under Imperial control for two years. Constabulary, "while that force subsists," to be under Imperial control, but Ireland to have power to create a new force under control of local authorities.

Both Dublin Police and Constabulary, as long as they should exist, to be under Imperial control.

Meanwhile an ordinary locally controlled civil police to be gradually established by Irish Government, and to take the place of the old forces.

But *for six years*, Imperial Government to have the power to maintain in existence the old forces, if considered expedient.

#### JUDGES.

##### PRESENT IRISH JUDGES TO REMAIN.

All future Irish Judges to be appointed by Irish Government.

For *six years* future Irish Supreme Court Judges (not County Court Judges, etc.) to be appointed by Imperial Government. After six years by Irish Government.

#### LAW COURTS.

##### CONSTITUTION TO REMAIN THE SAME.

But appeals to the House of Lords to cease; instead, to the Judicial Committee of the Privy Council.

#### CONSTITUTIONAL QUESTIONS.

##### (AS TO VALIDITY OF IRISH LAWS, ETC.)

To be decided by the Judicial Committee of the Privy Council (including one or more Irish Judges).

## APPENDIX

### HOME RULE BILL OF 1886.      HOME RULE BILL OF 1893. EXCHEQUER JUDGES.

Legal proceedings in Ireland by or against Imperial revenue authorities to be referred, if either party wishes, to the Exchequer Division Judges of the United Kingdom.

All legal proceedings in Ireland *which touch any matter* (financial or otherwise) *not within the power of the Irish Legislature* to be referred, if either party wishes, to two Exchequer Judges appointed and paid by the Imperial Government. Appeal to be to the Judicial Committee of the Privy Council.

### LORD LIEUTENANT.

#### MIGHT BE OF ANY RELIGION.

Term of office indefinite.

Term of office six years.



## REMARKS ON DIFFERENCES BETWEEN THE TWO BILLS.

N.B.—That the Bill of 1886, being defeated on Second Reading, never went through a Committee stage, while the Bill of 1893 was largely amended in Committee.

The freedom given to Ireland under the Bill of 1893 was considerably less than under the Bill of 1886. Note, *inter alia*, the numerous suspensory periods for continued Imperial control in Finance, Police, Judges, Land Legislation, etc.

**1. Imperial Supremacy.**—This was more explicitly set forth in the Bill of 1893 than in the Bill of 1886. Both in the Preamble of the former Bill, in a proviso added in Committee to Clause 2, and in Clause 32, the supreme authority—legislative and executive—of Parliament over all persons, matters, and things in Ireland was clearly set forth.

**2. Irish representation at Westminster.**—Here lay the most important difference between the two Bills. Irish members were excluded in 1886, and retained, with reduced numbers, in 1893. Under the original scheme of 1893, they were to sit and vote only on Imperial matters and matters affecting Ireland; not on purely British matters. But this restriction was withdrawn in Committee, so that they were left with *power to sit and vote on all questions*.

This question of retention or exclusion deeply affected all the Home Rule provisions, especially finance. The more freedom, the less need for retention; the more Imperial control, the greater need for Imperial representation.

## APPENDIX

Note that under the Bill of 1893 there would have been three different sets of Parliamentary constituencies in Ireland; one for the Council, one for the Assembly, one for the House of Commons.

**3. Restrictions on Legislation.**—These were more numerous in 1893 than in 1886.

(a) *Among Imperial matters*, the denial of *Post Office control* for six years was perhaps the most important. On the other hand, trade *within Ireland* and *inland navigation* were conceded to Ireland in the 1893 Bill.

(b) *Among Irish matters*, the prohibition of *Land Legislation* for three years was the principal point.

Restriction No. 3 ("Life, Liberty, and Property") was borrowed from the American Constitution, with the addition of the words "in accordance with settled precedents." These added words were held to prevent any alteration of the existing criminal law.

(c) *Executive authority.*—In the unamended Bill of 1886 this point was left rather vague, though the intention certainly was to set up *responsible government*; with the Lord Lieutenant (representing the Crown) acting on the advice of an Irish Ministry in Irish affairs, and obeying Imperial instructions in Imperial affairs.

In the Bill of 1893 an *Executive Committee of the Irish Privy Council*, that is, an Irish Ministry, was expressly called into being to advise the Lord Lieutenant in Irish affairs. His authority in Imperial affairs was to be defined in written instructions given him by the Imperial Government. His power to give or withhold assent to Irish Bills was the same in both Home Rule Bills; but in that of 1893 it was explicitly said that he was to do so on the advice of Irish Ministers, though (as in 1886) subject, if necessary, to over-riding instructions from the Imperial Government.

In Imperial matters, the mouthpiece of the Irish Government at Westminster was to be the Home Secretary.

## APPENDIX

**4. Finance.**—The arrangements differed widely in the two Bills.

The main points of likeness were (a) that from the first there was to be a *separate Irish Exchequer*, (b) that for all time Ireland was to be *denied control over the imposition of Customs and Excise*, that is to say, over about *three-quarters of her revenue* as then raised; (c) that about *a third of the cost of the Irish Police* was to be paid by the Imperial Government; (d) that payments due from Ireland to the Imperial Government were to be made a first charge on proceeds of Imperial taxes in Ireland.

The principal points of difference were:—

(a) Under the Bill of 1886, apart from the very important restriction on Customs and Excise, Ireland was at once to have freedom to control her own taxation.

Under the Bill of 1893 (as amended) there was to be a suspensory period of six years during which all existing taxes were to continue to be imposed by the Imperial Government; but with power to Ireland to add taxes of her own. *Amounts* of Imperial taxes might be varied, but *no new ones* imposed, except specially for war. After six years financial freedom, except in Customs and Excise. Excise, however, was to be *collected* though not levied by Ireland.

(b) "*Gross*" and "*True*" Revenue.—In 1886 Ireland was credited with all the revenue *collected in Ireland* from Customs and Excise (i.e. the "gross" revenue from those taxes), but she had to pay the cost of collection herself.

In 1893 allowance was made for duties collected in Ireland on articles consumed in Great Britain, and vice versa, Ireland being credited only with her "true" revenue, that is revenue from dutiable articles *consumed in Ireland*. Similar allowances made in the Income Tax account. A joint Anglo-Irish Committee was to settle these adjustments. This system involved a deduction from the first year's gross Irish revenue of over £1,700,000. (In 1886 the corresponding sum, credited to Ireland, was £1,400,000.) On the other hand, in 1893 the greater part of the cost of collection (£235,000) was not to be borne by Ireland.

## APPENDIX

(c) *Imperial Contribution by Ireland*.—In 1886 a fixed annual maximum *tribute*, which might be diminished, but could not be exceeded, revisable in 30 years.

In 1893 (for six years) an annually ascertained *quota*, namely a third of Ireland's "true" revenue (exclusive of taxes imposed by her herself).

(d) *Ireland's Budget*.—Note the important point that under both Bills three-quarters of Irish Revenue was derived from Customs and Excise, over which, in 1886, Ireland could exercise no control, in 1893 only the control given by the presence of 80 members in the House of Commons. In both cases Ireland wholly responsible for her own civil expenditure (except in the old Police). Under both Bills Ireland was intended to start with a surplus of about half a million, which may be regarded roughly as the equivalent, in both cases, of the Imperial share of the cost of the old Irish Police. But note that in 1886, Ireland, being pledged to pay a fixed million of the cost of Police, would obtain no relief until the cost was reduced below a million, while in 1893, paying two-thirds of the annually ascertained cost, she would obtain relief from any annual reduction. The Police referred to was, of course, the then existing Police, Imperially organised and controlled. The new civil police eventually set up in substitution would be financed and controlled by the Irish Government. The charges, therefore, on the British taxpayer would, it was expected, be a rapidly diminishing one. The loss on Irish Posts in 1893, debited against Ireland, was estimated at £52,000.

(e) *Special War Taxes*.—Ireland's contribution optional in 1886; in 1893, compulsory (at any rate, for six years, which would have included the beginning of the South African War).

**5. Police.**—In the 1893 Bill, note the period of six years for conditional maintenance of the old Constabulary forces.

In both Bills, provision for a new local civil police, with Imperial control of the old police as long as it remained in existence.

## APPENDIX

**6. Judges.**—Note the increased control in the Bill of 1893. For six years the higher appointments to be by Imperial Government. In both Bills, salaries to be charged in first instance on Imperial Funds, though paid in Ireland.

**7. Exchequer Judges.**—Note the important added provisions in the Bill of 1893, setting up an Imperial Court for the trial of all questions touching any matter outside the powers of the Irish Legislature.





# Dr. J. Collis Browne's *Chlorodyne*



**The Original and  
Only Genuine.**

Universally acknowledged to be the Most Valuable Medicine known, and one which should be in every home. Doctors, and the public in all parts of the world have used it with unvarying success for upwards of 60 years, and have testified to its efficacy. For

**COUGHS, COLDS,  
ASTHMA, BRONCHITIS,  
it is the Best and Surest Remedy.**

It acts like a Charm in  
**DIARRHŒA, CHOLERA,  
and DYSENTERY.**

Is the only palliative in  
**NEURALGIA, TOOTHACHE,  
GOUT, RHEUMATISM.**

It effectually cuts short all attacks  
of **SPASMS, HYSTERIA,  
and PALPITATION.**

It checks and arrests those too  
often fatal diseases:  
**FEVER, CROUP, and AGUE.**

When you ask for Chlorodyne, insist on having **Dr. J. Collis Browne's**. The secret of its manufacture has never been divulged, and compounds called Chlorodyne cannot possess the same curative virtues. Purchasers therefore should see that the name is on the stamp, and emphatically refuse all substitutes.

**Convincing Medical Testimony with each Bottle.**

**Of all Chemists, 1/1½, 2/9, and 4/6.**

**Complexions**

are often  
ruined by

the use of common and impure toilet  
soaps, which make the skin coarse  
and destroy its natural colour, where-  
as they are maintained in their full  
beauty and saved by the use of  
Pears. The reason is not far to  
seek. Pears is a true emollient, of  
complete purity, and of the highest  
quality in every component. Every  
touch of it is beneficial to the  
skin. Always use

*h Pears.*





Roba  
du  
Apr

**University of Toronto  
Library**

---

**DO NOT  
REMOVE  
THE  
CARD  
FROM  
THIS  
POCKET**

---

**Acme Library Card Pocket  
LOWE-MARTIN CO. LIMITED**

